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SAN FRANCISCO

CITY PLANNING COMMISSION

Minutes of the regular meeting held Thursday, July 11, 1968.

The City Planning Commission met pursuant to notice on Thursday, July 11, 1968, at 1:00 P.M. in the meeting room at 100 Larkin Street.

PRESENT: Mrs. Charles B. Porter, Vice President; Virgil L. Elliott, Mortimer Fleishhacker, Jr., James S. Kearney, and Walter W. Wight, members of the City Planning Commission.

ABSENT: William M. Brinton, President; Walter S. Newman.

The staff of the Department of City Planning was represented by Allan B. Jacobs, Director of Planning, R. Spencer Steele, Assistant Director-Implementation; Robert W. Passmore, Assistant Zoning Administrator; Wayne Rieke, Planner IV-Zoning; Samuel Jung, Planner IV; and Lynn E. Pio, Secretary.

Donald Canter represented the San Francisco Examiner; Maitland Zane represented the San Francisco Chronicle; Lorraine Petty represented the San Francisco Daily Commercial News.

APPROVAL OF MINUTES

It was moved by Commissioner Fleishhacker, seconded by Commissioner Elliott, and carried unanimously that the minutes of the meetings of June 13, 20, and 27, 1968, be approved as submitted.

CURRENT MATTERS

Allan B. Jacobs, Director of Planning, reported that Mayor Alioto had requested the Department of City Planning to review proposals which have been made for use of Alcatraz Island and to prepare a plan for its acquisition from the Federal Government.

The Director reminded the Commission that the Board of Supervisors will hold a public hearing next Monday to consider the request for vacation of portions of Montgomery and Lombard Streets for the International Market Center.

The Director advised the Commission that the firm of Urban Design Associates has completed urban design studies for each of the two BART subway station entrance areas on Mission Street. A summary report is now being prepared which will be presented to the Commission in early August.

The Director informed the Commission of the cost involved in producing two reports recently published by the Department of City Planning -- the 1969 Housing Inventory Report ($3,470) and the Population Projections Report ($4,600).

REVIEW OF ALTERATION PERMIT FOR EXPANSION OF THE SAN FRANCISCO ART INSTITUTE.

Robert Passmore, Assistant Zoning Administrator, stated that the San Francisco Art Institute had recently filed an application for an alteration permit to increase the height and bulk of a building presently under construction which was authorized as a conditional use by the City Planning Commission in 1966. Since approval of the alteration permit would substantially increase the height of the building, the staff of the Department of City Planning had felt that this matter should be considered by the Commission. During the interim since this matter had been calendared, however, the staff had been advised by the City Attorney's office that the proposed increase in height would so far exceed the height of the building originally approved by the Commission that the Commission should not review the new plans unless a new conditional use application is filed by the San Francisco Art Institute requesting modification of the conditions previously established by the Commission.

In response to questions raised by Vice President Porter, Mr. Passmore stated that the building design with which the applicants wished to proceed had been included with the original plans which had been submitted to the Commission as an alternate design; however, neither the applicants nor the staff of the Department of City Planning had addressed themselves to the alternate proposal when the expansion project had first been considered by the Commission. Nevertheless, the applicants had assumed that the alternate had been approved by the Commission; and they had proceeded with construction of the building depicted in the alternate plans. Since the applicants had become aware that the alternate had not been approved by the Commission, they had halted their construction project pending deliberation of this matter by the Commission.

John Ertola, representing himself and other property owners in the subject neighborhood, asked if the filing of a new conditional use application by the Art Institute would allow other questions about the expansion project to be re-opened. Mr. Passmore assumed that any application filed by the Art Institute would be limited to the question of the height of the building now under construction.

After Mr. Passmore had indicated that the earliest day on which this matter could be heard by the Commission if a conditional use application were to be filed would be August 8, Mr. Ertola asked if the hearing could be delayed until August 15 since he would have to be out of town during the week of August 8. After discussion, Mr. Paffard Keatinge-Clay, representing the San Francisco Art Institute, indicated that August 15 would be an acceptable date for the hearing.

R68.35 Vacation of York Street between Alameda and 15th Streets.

Samuel Jung, Planner IV, described this matter as follows:

"Pursuant to Section 116.1 of the Charter, the subject referral has been received from the Director of Public Works.

York Street, a fee street not improved to City standards, is a cul-de-sac which extends for 300 feet south of Alameda Street in the M-1 zoned Division Street industrial area. Continental Baking Company, whose bakery abuts it on the west, has recently bought the property on the east for the expansion of its plant and is now petitioning for its vacation.

This portion of York Street dead ends on the south at the property of the I.D.S. Realty Corporation (White Front Stores, Inc.). York Street now can serve only the Continental Baking Company and White Front, since it is not a through street. White Front, which has a blank wall facing York Street, objects to the vacation because it feels it might in the future want to open a door on to the street and use it for the receiving of merchandise. City Attorney's Opinion No. 65-3-A, issued in regard to a similar case, states that "it is well established law in California that the owner of property abutting upon a public street acquires a private easement therein for purposes of ingress and egress which constitutes a property right attaching to his land, separate and apart from the right of the public to use the street." White Front also feels that York Street relieves traffic congestion in the area; however, there appears to be no general public use of the street.

The Continental Baking Company now has a 16-foot wide entrance ramp to its lower level extending the length of York Street. York Street has a 10 per cent grade between Alameda Street and its terminus 300 feet southerly.

The Interdepartmental Staff Committee on Traffic and Transportation reviewed the proposed vacation at its meeting on June 13, 1968, and found no objection. The Fire Department does not have any objection."

Quentin L. Kopp, representing the Continental Baking Company, stated that his clients wished to expand their business across York Street onto two parcels of property which they had recently purchased on the east side of the street. He emphasized that the vacation of York Street had been approved by the Fire Department; and he felt that the problem of access for White Front should be settled privately.

Marvin D. Morgenstein, representing White Front Stores, stated that his clients had purchased the former Seals Stadium site and had proceeded with construction of a major building on that property with the understanding that York Street would be available for the loading and unloading of merchandise. He pointed out that all deliveries to the White Front Store would have to be made from Bryant Street and Potrero Avenue if York Street were to be closed; and he did not think that it would be in the public interest to encourage heavy trucks to use these

streets for loading and unloading purposes. Furthermore, his clients had intended to construct a fire door opening onto York Street; and he felt that provision of that door would definitely be in the public interest.

Commissioner Fleishhacker asked if the approved plans for the White Front Store show the two doors which Mr. Morgenstein had mentioned. Mr. Morgenstein replied in the negative and indicated that the location of the doors will depend on the location of fixtures which will be placed inside the store.

Mr. Kopp distributed photographs which he had taken of York Street and the White Front Store and pointed out that York Street is not now improved to meet city standards and that no doors had been cut along the York Street frontage of the White Front building in spite of the fact that the doors had been cut in other areas of the building.

Vice President Porter pointed out that the only issue before the Commission was whether the proposed vacation of York Street would be in conformity with the Master Plan. Mr. Jung confirmed this fact and indicated that the staff would recommend that the vacation be found in conformity with the Master Plan unless the public interest would be served by retaining the street as a public thoroughfare.

Mr. Passmore stated that retention of the street would be in the public interest if White Front Stores, Inc. had been able to demonstrate that the street would be necessary for major access to their building; however, if the street were to be used only for secondary access to the White Front building, he felt that the access problem should be resolved privately.

Mr. Morgenstein believed that it would not be in the public interest to have all public deliveries made to the White Front store from Potrero and Bryant Streets.

The Director noted that the Interdepartmental Staff Committee on Traffic and Transportation (ISCOTT) and the Fire Department had approved the vacation of York Street; and, since both ISCOTT and the Fire Department concern themselves directly with questions of access such as those being raised by White Front Stores, he felt that the Commission should place considerable emphasis on their recommendations and findings in reaching its own decision as to whether or not the street vacation would be in conformity with the Master Plan. As a result of the Department of City Planning's staff review of the proposal, he had determined that the vacation of the street should be found to be in conformity with the Master Plan.

Commissioner Fleishhacker asked when the Continental Baking Company intends to undertake its expansion project. Mr. Kopp replied that the project would probably be initiated within the next year.

Mr. Morgenstein stated that neither ISCOTT nor the Fire Department had consulted with representatives of White Front.

Mr. Kopp stated that he could not imagine large trucks turning around on York Street even if White Front stores were to construct a freight entrance in that portion of their building.

Commissioner Fleishhacker noted that York Street has a width of 80 feet; and he remarked that the street is thus fairly wide. However, he questioned whether White Front stores would really use York Street if it were to remain as a public thoroughfare; and he felt that it was possible that they may have had other reasons for opposing the proposed vacation of the street. In his opinion, White Front stores had not demonstrated that the street is really needed; and he felt that a better case might have been made for retention of the street if the street had actually been used over the past six months.

After further discussion, it was moved by Commissioner Fleishhacker, seconded by Commissioner Wight, and carried unanimously that the Director be authorized to report that the vacation of York Street between Alameda and 15th Streets is in conformity with the Master Plan.

At 2:00 P.M. Vice President Porter announced that the meeting was recessed. Members of the Commission then proceeded to Room 282, City Hall, where they were joined by Commissioner Kearney, and reconvened at 3:00 P.M. for the scheduled zoning hearing.

CU68.17 2371 - 19th Avenue, west line, 145 feet north of Taraval Street. Request for a parking lot in an R-3 District to be used in conjunction with adjacent commercially owned service station which is to be remodeled.

Joseph Balanesi, representing the Parkside District Improvement Club Incorporated, requested that hearing of this matter be postponed until after the next general meeting of his association which will be held on the second Friday in August.

Rex Dalrymple, representing the applicant, stated that his clients would be willing to meet further with the staff of the Department of City Planning and with the Parkside District Improvement Club in working out final details of the plans for the proposed facility; however, he hoped that the subject application could be approved in principle during the current meeting.

The Director indicated that he would not be adverse to postponing the hearing in accordance with Mr. Balanesi's request; however, he felt that the matter should not be held in abeyance for more than three weeks. Vice President Porter realized the difficulties involved in scheduling neighborhood meetings during the summer months when many people are out of town; however, she felt that Mr. Balanesi should have ample time to meet with members of his association if the hearing were postponed until the meeting of August 8.

Both Mr. Balanesi and Mr. Dalrymple indicated that postponement of the hearing until the Commission's meeting on August 8 would be acceptable.

After further discussion, it was moved by Commissioner Fleishhacker, seconded by Commissioner Kearney, and carried unanimously that hearing of this matter be postponed until the meeting of August 8, 1968.

CU68.15 Grove Street, southeast corner of Baker Street.
Request for a convalescent hospital with approximately 168 beds in an R-3 District.

R. Spencer Steele, Assistant Director-Implementation, referred to land use and zoning maps to describe the subject property. He stated that the applicant had proposed to construct a three-story, 168 bed convalescent hospital on the site. There would be off-street parking for 36 cars on the ground floor; and these parking spaces would be accessible from both Baker Street and Grove Street. Also on the ground floor would be administrative offices, kitchen, doctor's office and laundry. The second and third floors would include dining, recreation, and visitors' rooms as well as patients' rooms.

Malcolm McCarthy, representing AGA Associates, the applicants, recognized that the Commission had been concerned about the need for convalescent hospital facilities in San Francisco; but he had understood that this matter had been resolved during the Commission's meeting of June 13. He pointed out that the proposed facility would be located in an area where hospitals and medical offices are near at hand; and he advised the Commission that the proposed facility would not require any variances from the standards of the City Planning Code. He stated that the applicants had hired Appraisal Research Associates to study the financial feasibility of the proposed project; and the results of that study had indicated that the proposed convalescent hospital would constitute the best economic use of the subject property. The plans have been discussed with representatives of Parkness Memorial Hospital and St. Mary's Hospital; and, in both cases, they had met with approval. In conclusion, Mr. McCarthy stated that his clients, their architect, and the person who would operate the proposed facility were present to answer any questions which the Commission might have regarding their project.

Commissioner Kearney asked if the proposed facility would accept Medi-Cal patients. Mr. McCarthy replied that 35 or 40 per cent of the patients in the hospital would be under the Medi-Cal program.

No one was present to speak in opposition to the subject application.

Mr. Steele recommended that the subject application be approved with conditions. He stated that the site is convenient to many hospitals and medical offices and to public transportation. He also noted that there is a need for additional convalescent hospital beds in San Francisco to serve Medi-Cal patients; and he felt that the proposed facility should help to meet that need. After distributing and reviewing a draft resolution which contained four conditions, he recommended its adoption.

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Mr. McCarthy stated that the conditions recommended by Mr. Steele would be acceptable to his clients.

Vice President Porter, noting that Condition No. 2 of the draft resolution specified that not less than 25 per cent of the patients in the hospital should be subsidized under the Medi-Cal program, asked how this requirement should be enforced.

Mr. Steele, in reply, noted that the same condition required that annual reports should be submitted to the Department of City Planning showing the number of patient days of occupancy, the total number of patient days credited under Medi-Cal or successor programs, and the percentage of patient days under Medi-Cal or successor programs.

Commissioner Fleishhacker felt that the Commission should be more concerned about making certain that a number of Medi-Cal beds are made available for Medi-Cal patients and that those beds are actually used for that purpose.

After further discussion, it was moved by Commissioner Wight, seconded by Commissioner Elliott, and carried unanimously that Resolution No. 6238 be adopted and that the application be approved subject to the conditions contained in the draft resolution.

CU68.11 Octavia Street, northwest corner of Fell Street.
Request for a home for the aged with approximately 60 beds in an R-4 District.

Mr. Steele noted that the applicant was not present in the meeting room; and, since the applicant had requested postponement of the scheduled hearing, he might have assumed that the request for postponement would be approved automatically by the Commission.

The Director remarked that the application had originally requested permission for construction of a convalescent hospital; and subsequently, however, a home for the aged had been requested instead. He indicated that the staff of the Department of City Planning was doubtful that adequate plans could be prepared for a home for the aged; and, since this matter had been on the Commission's calendar since May 2, 1968, he was not disposed to honor any further requests for postponement of the Commission's hearing of the application. Nevertheless, since the applicant was not present to speak in his own behalf, he recommended that the subject application be rescheduled for consideration during the Commission's next meeting on July 18, 1968.

After further discussion, it was moved by Commissioner Elliott, seconded by Commissioner Wight, and carried unanimously that hearing of the subject application be postponed for one week.

CU68.19 609 Hampshire Street, east line, 100 feet south of 18th Street. Request for continued use of an R-3 lot for parking purposes.

Mr. Steele noted that the Commission, in March, 1968, had denied an application for M-1 zoning of the subject lot and an adjacent lot to the south which would have permitted the applicant to continue to use the lot for parking of delivery trucks; furthermore, approval of that application would have permitted expansion of the parking use onto the lot to the south. The Commission's disapproval of the previous application was unanimously upheld by the Board of Supervisors on appeal. Following the denial of the appeal by the Board of Supervisors, the subject application had been filed requesting conditional use authorization for continued use of the R-3 parcel of property for customer and employee parking for the Rose Exterminator Company.

Jack M. Keeney, owner of the Rose Exterminator Company, stated that the subject lot had been used for parking for a number of years; and the subject application had been filed to legalize that use. He indicated that he knew of no opposition to the subject application; and, if it were approved, it would enable a planned expansion project to be undertaken.

Charles N. Wilmarth, owner of a building located at 657 Hampshire Street, stated that he had opposed the applicant's previous application for reclassification of the subject lot and an adjacent lot; and he indicated that he would be opposed to the current application, also, if it would result in further commercial encroachment onto properties zoned for residential use.

Mr. Keeney emphasized that the subject application would merely legalize a use to which the subject lot has been put for a number of years; it would not result in any additional residential lots being used for parking purposes.

Mr. Steele recommended that the application be approved subject to two conditions which read as follows:

"1. Street trees shall be installed along the frontage of the subject property and adjoining properties owned by the applicant on Hampshire Street, and the subject property will be screened as required by the City Planning Code. Detailed plans for landscaping, fencing or other screening, and lighting shall be developed in consultation with the Department of City Planning with the objectives of enhancing the appearance of the subject property and screening the use from adjoining residential districts. All said plans shall meet with the approval of the Department of City Planning prior to filing any application for building permits.

2. All artificial lighting shall be deflected downward and away from surrounding residential properties; no signs of any type shall be installed on the subject lot; and access shall be only from lots to the north of the subject lot, rather than through any driveway on the residentially zoned property."

Vice President Porter asked if the applicant would be willing to landscape the subject lot as recommended by the staff of the Department of City Planning. Mr. Keeney replied that he would be willing to do anything that needs to be done.

Vice President Porter then asked if the conditions which had been recommended by the staff would not seem to Mr. Wilmarth to promise an improvement over present conditions. Mr. Wilmarth replied in the affirmative and indicated that he would support approval of the application with the conditions recommended by the staff of the Department of City Planning.

After further discussion, it was moved by Commissioner Kearney, seconded by Commissioner Elliott, and carried unanimously that Resolution No. 6239 be adopted and that the application be approved subject to the conditions contained in the draft resolution.

ZM68.18 Ripley Street, south line 115 feet east of Folsom Street. P to an R-3 District.

Mr. Steele noted that the subject application had been initiated by the City Planning Commission on the request of the present owner of the property who plans to sell the lot which was inadvertently classified in the P District in 1963 when it should have been mapped as a part of the R-3 District. When the new zoning ordinance was adopted in 1960, private lots fronting on the northerly and southerly sides of Ripley Street between Folsom and Alabama Streets were rezoned from R-1 to R-3; the subject lot, however, was classified R-1-D because it was under public ownership at that time. In 1961, the lot was reclassified to R-3 and sold by the City; and, subsequently, the existing multiple-family dwelling was built at the R-3 density which was then permitted. In 1963, when the P District was added to the zoning map, the subject lot was erroneously included in that district. Under the circumstances, he recommended that the proposed reclassification of the property from P to R-3 be approved.

Mrs. Teresa Roberts, representing property owners on Folsom and Ripley Streets, wondered if approval of the subject application would affect any other parcels of property in the neighborhood. Mr. Steele replied in the negative.

After further discussion, it was moved by Commissioner Elliott, seconded by Commissioner Wight, and carried unanimously that Resolution No. 6240 be adopted and that the subject application be approved.

At 3:50 P.M. Vice President Porter announced a ten minute recess. The Commission reconvened at 4:00 P.M. and proceeded with hearing of the remainder of the calendar.

ZM68.17 Sun Valley Dairy, 300 Alemany Boulevard, and adjacent land at 1030 Crescent Avenue, south line, east and west of Prentiss Street. C-2 to an M-1 District.

Mr. Steele referred to land use and zoning maps to describe the subject property. He stated that the existing dairy plant is a nonconforming use in a C-2 district without a specific termination date; however, because of the nonconforming status of the use, the dairy does not have a right to expand. He noted that the Commission, on October 3, 1967, had considered a petition filed by the Sun Valley Dairy for vacation of Prentiss Street between the two parcels of land which it owned; however, since the C-2 zoning of the adjacent property would prohibit the dairy from using the vacated street, action on the vacation request had been postponed pending the filing and consideration of the present application for reclassification of the property.

Vincent L. Palmieri, one of the owners of the Sun Valley Dairy, believed that the appearance of the Dairy could be improved significantly if Prentiss Street were to be vacated and if the property were to be rezoned as requested; and he displayed a sketch which had been prepared to show how the dairy plant would be remodeled making use of the vacated portion of Prentiss Street. He remarked that most other dairies in San Francisco are located in semi-residential areas; nevertheless, they had been granted proper zoning for their operation. He felt that the Sun Valley Dairy should enjoy similar circumstances.

Commissioner Wight asked if all of the vehicles owned by the Sun Valley Dairy could be accommodated within the enclosure which was proposed to be constructed. Mr. Palmieri replied that most of the vehicles could be parked within the existing building if the large ice cream freezers were to be located to the outside enclosure as proposed.

The Secretary read and submitted a petition which had been signed by various residents of the neighborhood in opposition to the requested change of zoning. The petition stated that many of the activities associated with the dairy are bothersome to residents of the neighborhood; and it was felt that the reclassification of the dairy property for light industrial use would be extremely detrimental to the adjacent residential neighborhood.

Alvin Wong, 115 Crescent Avenue, asked how the requested reclassification would affect the height permitted on the subject property. Mr. Steele replied that both the C-2 District and the M-1 District would allow unlimited height subject only to floor area ratio standards. However, the floor area ratio allowed under the M-1 District would be somewhat greater than that allowed under the present C-2 zoning.

Mr. Wong remarked that it would be very detrimental to the adjacent residential neighborhood if taller buildings were constructed on the subject property.

Mr. Palmieri stated that the Sun Valley Dairy has a 20 year lease on the subject site; and he assured the Commission that the height of the buildings would not be increased during that time.

The Director recommended disapproval of the request for reclassification of the subject property to an M-1 District because the property lies directly across the street from an R-1 District and immediately adjacent to property which has recently been developed with residential uses. He pointed out that the standards of the M-1 zoning district would provide no protection for the adjacent residential uses against possible detrimental aspects of the industrial use on the subject site; and he felt that it would be contrary to the best interests of the neighborhood and of the city to allow expansion of the dairy without any limits other than those appropriate in a light industrial district.

Mr. Palmieri remarked that the city had actively encouraged the Sun Valley Dairy to remain in the city in 1958; and, as a result, he and his partners had spent a great deal of money to improve their facility. Therefore, they would suffer a substantial financial loss if they were forced to move at the present time.

Commissioner Fleishhacker noted that the staff of the Department of City Planning had not objected to the plan which had been depicted on the sketch which had been submitted by Mr. Palmieri; and, under the circumstances, he wondered if there were not some way that the proposed expansion project could be approved without the need for reclassifying the property to M-1.

The Director stated that the applicant had submitted only a sketch and not a plan for the expansion project. In any case, the expansion project could not be approved as a conditional use under the present C-2 zoning; and reclassification of the property to C-M or M-1 would involve spot zoning.

Vice President Porter recalled that the city had been concerned about keeping the Sun Valley Dairy in 1958; and, under the circumstances, she felt that the Commission should be attentive to the needs of this industry. However, she felt that any action taken by the Commission should involve sufficient control to protect the neighborhood.

Mr. Palmieri stated that he would have been willing to request that the property be rezoned to C-M and that conditional use authorization be granted for expansion of the dairy. Yet, while this procedure would have given the Commission greater control over the project, he had understood that the dairy would then have had to be completely enclosed. Construction of such a building would cost at least $50,000; and, therefore, this approach had not seemed feasible. Mr. Rieke confirmed that all parking and loading operations would have to be placed within enclosed buildings if the property were to be reclassified to C-M.

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Commissioner Fleishhacker noted, however, that the applicant had indicated that parking of all of the dairy's vehicles could be accommodated with the present building if the ice cream freezers were moved outdoors. Under the circumstances, he felt that it should be possible for the Commission to overcome some of the technicalities in the City Planning Code and to authorize the proposed expansion as a conditional use. Therefore, he suggested that the matter might be taken under advisement to allow further review of the present alternative by the staff of the Department of City Planning.

After further discussion, it was moved by Commissioner Fleishhacker, seconded by Commissioner Elliott, and carried unanimously that the subject application be taken under advisement indefinitely to allow for further consultation between the applicant and the staff of the Department of City Planning.

CU68.18 905 California Street, southwest corner of Powell Street; and 875 California Street, south line, 49 feet east of Powell Street. Request for authorization to convert the existing Stanford Court Apartment House into a hotel with incidental commercial uses, and to renovate the garage located at 875 California Street to supply off-street parking for the hotel.

Mr. Steele stated that the Stanford Court Apartments presently contain 126 units, of which 30 have no cooking facilities. During recent years, illegal business and professional offices have been placed in the building. The Rolls Garage is now a public parking garage with automobile services, a nonconforming use, and accommodates 110 attendant-parked automobiles.

The applicant had proposed to convert the apartment building to a hotel. The "landmark" stone wall along the property line and the existing exterior walls of the building would be retained essentially as they are. Otherwise, the building would be completely remodeled with up to 424 hotel rooms.

The City Planning Code provides that required parking spaces for such uses may be provided on a different lot as a principle or conditional use if the availability of the parking spaces is assured by common ownership and a recorded document. In accordance with this provision, the applicants had proposed to use the Rolls Garage to meet the parking needs of the proposed hotel.

In conclusion, Mr. Steele stated that the Commission, in considering applications for a hotel with incidental commercial uses in the Nob Hill Special Use District, would be required to consider, in addition to the usual criteria for a conditional use, (1) the relationship of the use to the unique character of the Nob Hill Special Use District; (2) the preservation of existing open spaces; (3) the siting of the building so as to maximize insofar as practical the view potential of other properties as well as their own; and (4) the adequacy of off-street parking facilities for the proposed use in the Special Use District.

Robert Raymer, attorney for the Stanford Court Investment Company, believed that the project proposed by his clients would enhance and preserve the present character of the neighborhood. He advised the Commission that both the Stanford Court Apartments and the Rolls Garage are owned by the same party; and he indicated that his clients have lease privileges on both of the buildings.

Cal Rossi, one of the investors in the proposed project, stated that he had been associated with the Stanford Court Apartments for the past five years. During that time, many schemes had been proposed for use of the site; unlike the other proposals; however, the present proposal would not require demolition of the building. In any case, Mr. Rossi felt that the Commission should realize that it is no longer economically feasible to retain the existing structure as an apartment house.

Elmer Butsal, architect for the applicants, displayed and described sketches of the treatment proposed for the facade of the building and plans for the remodeling of the interior space. He emphasized that many of the significant features of the building, such as fireplaces, would be retained.

In response to a question raised by Vice President Porter, Mr. Butsal indicated that the rooms in the proposed hotel would have an average size of 400 square feet.

Commissioner Fleishhacker asked if the existing arch giving access from Powell Street would be retained. Mr. Butsal replied in the affirmative but noted that the arch would be used only for pedestrians; two new entrances would be provided from Powell Street to the interior court for automobile traffic. In reply to a further question from Commissioner Fleishhacker as to whether the facade of the garage would be changed, Mr. Butsal replied that the garage would be refaced.

Commissioner Fleishhacker asked if the garage would be used only by registered guests of the hotel.

Mr. Raymer replied that it would be possible to provide additional parking spaces on the roof of the garage; and, if this were to be done, the garage would provide 130 attendant-parked parking spaces instead of the 110 spaces proposed initially. Since the City Planning Code would require provision for only 76 spaces, he felt that his clients would wish to provide parking spaces for people other than residents of the hotel during "off hours". Nevertheless, the garage would be used principally by guests of the hotel.

Commissioner Fleishhacker asked if the revised plans would result in elimination of the parking spaces presently available in the courtyard of the apartment building. Mr. Rossi replied that 20 existing parking spaces would be eliminated.

Commissioner Fleishhacker asked if approval of the subject application would result in a substantial increase in density on the site. Mr. Rossi replied

that the hotel would have 424 rooms in 378 units whereas the apartment building presently contains 126 units. However, since many of the apartment units are occupied by as many as five persons, he did not feel that the density of the building would be increased significantly.

Mrs. Lee, owner of an apartment building located at 796 Pine Street, asked to be given copies of any written information about the proposed projects so that she could advise her tenants of the changes which would be taking place.

Mrs. Eleanor Green, 845 Pine Street, asked to be provided with the same information.

Robert Olson, representing the Nob Hill Association, stated that plans for the project had been reviewed by Mr. Ted Moulton who had found them to be commendable.

Mr. Steele recommended that the application be approved subject to conditions. He felt that provision of additional hotel space in the immediate proximity of the Fairmont and Mark Hopkins Hotels would be appropriate; and he noted that the conversion of the existing apartment house for hotel purposes would retain the existing and desirable architectural character of the immediate area. Furthermore, preservation of the existing wall bounding the property, which most people believe to have historical significance, would be made possible by the provision of off-site parking. He indicated that the conditions which were contained in the draft resolution of approval would generally cover the following: (1) retention of the exterior walls and boundary walls of the Stanford Court Apartments, (2) use of the off-site garage only for the hotel, its incidental commercial uses and professional offices, (3) limitations on the size of the hotel, area devoted to incidental commercial uses, capacity of the garage, and scope of services offered at the garage; (4) regulation of traffic movement from the garage; and (5) staff review of all final plans for the hotel and garage.

Mr. Raymer asked that Condition No. 3 of the draft resolution be modified to specify that the parking garage be for the "principal" rather than the "exclusive" use of employees, visitors, and occupants of the hotel building. Mr. Steele agreed to amend his recommendation accordingly; however, if the garage were to be used by other people, he felt that first priority should be given to residents of other hotels and that the next priority of use should be given to residents of apartment buildings in the area.

Mr. Raymer agreed; however, he pointed out that it would be difficult to cross-examine all of the drivers who might be entering the garage. Vice President Porter agreed that this condition should be omitted since it could not be enforced.

Mr. Raymer next requested that Paragraph E of Condition No. 3 be modified to provide that the exterior of the garage shall be "treated" rather than "painted"

in a manner fitting the residential character of the area. Mr. Steele agreed to make this modification in the draft resolution, also.

Finally, Mr. Raymer asked for modification of Condition No. 4 of the draft resolution which read as follows: "Detailed plans for the hotel and garage including plans for landscaping and signs shall be submitted to and approved by the Department of City Planning prior to the application for any building permits required for the conversion of the Stanford Court Apartments to a hotel."

After discussion, Mr. Steele agreed to amend this condition to read as follows: "Detailed plans for the hotel and garage including plans for signs shall be submitted to and approved by the Department of City Planning prior to the application for any building permits required for the conversion of the Stanford Court Apartments to a hotel. Detailed plans for landscaping of the interior court as well as all exterior landscaped areas shall be submitted to and approved by the Department of City Planning piror to the time a certificate of occupancy is requested."

Mr. Raymer indicated that the draft resolution, as modified, would be acceptable to his clients.

After further discussion it was moved by Commissioner Fleishhacker, seconded by Commissioner Wight, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 6241 and that the application be approved subject to the conditions contained in the draft resolution as modified.

HEARING ON PROPOSED AMENDMENTS TO THE DOWNTOWN ZONING ORDINANCE

A. Corner premium in lieu of development bonuses.

R. Spencer Steele, Assistant Director-Implementation, described this proposed amendment as follows:

> "This amendment would allow in the C-3-O (Downtown Office) district, as an alternative to the 10 development bonuses that have been adopted, a corner lot premium such as was formerly in effect. This premium would give additional floor area to any portion of a corner property within 125 feet of a street intersection. The recommendation in Committee was that the corner premium be set at 20 per cent, yielding a total floor area ratio of 16.8:1 (14:1 base plus 2.8:1 premium) if the developer chose this premium instead of using the development bonuses.
>
> Proposals of interest groups to retain the corner premium were considered by the Commission in its hearings a year ago and rejected. The lengthy analysis of the issue will not be

repeated here, but it may be said briefly that the corner premium was not retained as part of the Commission's proposals because:

a. The Downtown Zoning Study was authorized and carried out with the understanding that one of its main objectives was replacement of the existing corner premium with bonuses that would be offered for building features having advantages to the public.

b. In whatever form it might be used, a corner premium would increase the ratios permitted to an extent that would discourage use of the new bonus system.

c. Although corner sites are considered more desirable by developers and tend to have higher values, it is not a valid purpose of zoning merely to protect and enhance these advantages.

d. The corner premium does not have a basis in planning and is not found in the zoning ordinances of other cities; it permits greater intensity of development without a public purpose.

e. By contrast, the new bonus system awards additional floor area in exchange for public benefits; in the case of corner lots, moreover, there is an advantage under the new system due to the greater opportunity on corner lots to provide the building features for which bonuses are given -- this advantage often will work out to about 20 per cent over interior lots.

The amendment proposed in Committee to offer the corner premium in lieu of the development bonuses could result in buildings approaching 17:1 in floor area ratio without any publicly-oriented building features. Such license is undesirable, and it is also unnecessary, since the many reviews of buildings already built, under construction or proposed testify to the fact that the new floor area ratios and bonus system will work."

No one was present to speak in favor of or in opposition to the proposed amendment. The Secretary advised the Commission that he had not received any correspondence regarding this matter.

The Director recommended adoption of a draft resolution disapproving this proposed amendment which would allow a corner premium in lieu of development bonuses.

After discussion, it was moved by Commissioner Kearney, seconded by Commissioner Wight, and carried unanimously that Resolution No. 6242 be adopted and that this proposed amendment of the Downtown Zoning Ordinance be disapproved.

B. Floor area ratio, parking exemptions and transitional heights in Jackson Square and adjacent areas.

Vice President Porter announced that the Commission had received a request from Philip S. Ehrlich, Jr., attorney for property owners in the area, to postpone hearing of this matter until the Commission's meeting on September 5.

After discussion, the Commission voted unanimously to honor this request and to postpone hearing on this matter until the meeting of September 5, 1968.

C. Four technical amendments.

Mr. Steele stated that these four technical amendments, all of a minor nature, had been recommended by the Department's staff in letters to the Planning and Development Committee of the Board of Supervisors; and he noted that these amendments had been contained in the May 9 report of the Planning and Development Committee to the full Board with unanimous approval. He described these amendments as follows:

1. Exemptions in measuring height limits. The revised language, concerning the types of projections above roof level that are exempted from height limits, brings the Planning Code more closely in line with similar provisions in the Building Code as the latter code is now being revised.

2. Exemptions in measuring lot coverage. The Planning Code has for some time been inconsistent in exempting lower floors without residential occupancy in R-4 and R-5 districts from rear yard requirements, but not from coverage requirements except in the case of garage levels. In the new R-4-C and R-5-C districts, which take their yard and coverage requirements from the R-4 and R-5 districts respectively, this inconsistency can produce problems for buildings having their ground floors devoted to commercial uses. The amendment recommended would provide that coverage requirements in the R-4, R-5, R-4-C and R-5-C districts, like the yard requirements, would apply only to floors of residential occupancy.

The Director recommended adoption of a motion to accomplish disapproval of the proposed amendment, which motion was seconded by Commissioner [illegible] and carried.

After discussion, it was moved by Commissioner Kearney, seconded by Commissioner Nagle, and carried unanimously that R-Building No. [illegible] be adopted and that this proposed amendment be a convenient [illegible] to transmit to disapproval.

7. Other area zoning, pending expansion of the transitional industrial in Jackson Square and [illegible] areas.

Vice President Barber announced that the Commission had received a request from Philip S. Ehrlich, Jr., attorney for property owners in the area, to postpone hearing of this matter until the Commission's meeting on September 5.

After discussion, the Commission unanimously to honor this request and postponed hearing on this matter until the meeting of September 5, 1958.

8. Four technical amendments.

Mr. Jerole stated that these four technical amendments, all of a minor nature, had been recommended by the Department's staff in letters to the Planning and Development Committee of the Board of Supervisors; and he noted that these amendments had been considered in the May 6 report of the Planning and Development Committee to the full Board with unanimous approval. He identified these amendments as follows:

1. Exemptions in nonzoning building codes. The revised language concerning the types of [illegible] that are exempted from the [illegible] Building Code more closely in line with actual jurisdiction of the Building Code as the [illegible] code is [illegible].

2. Exceptions in nonzoning lot coverage. The Planning Code has for some time been inconsistent in excluding lower floors without residential occupancy in R-1 and R-2 districts from rear yard requirements, but not from coverage requirements except in the case of [illegible] lots. In the new R-3-C and R-4-C districts, which have less rear yard and coverage requirements than the 2 & and R-1, R-2 districts respectively, this inconsistency has produced problems for building [illegible] which would prevent [illegible] residential use. The amendment recommended would prevent [illegible] coverage requirements in the R-3, R-3-C and R-4 districts, like the rear yard requirements, would apply only to floors of nonresidential occupancy.

3. Application of parking and loading requirements to city property. After the parking and loading provisions in the Planning Code were re-organized in the new ordinance, questions were raised as to the applicability of existing parking and loading standards to public properties and uses. Only city properties are at issue, since normally State and Federal properties are exempt from local zoning. To be legally correct, the ordinance should specifically note that public buildings and uses are intended to be covered by the parking and loading standards, and the recommendation is that the ordinance be amended to this effect.

4. Application of the C-3-R district retail continuity requirement to frontages in this district adjacent to the C-3-O district. When the downtown district boundaries were first recommended to the Planning Commission, the boundary between the C-3-O (Office) and the C-3-R (Retail) districts was at the center line of Kearny Street. In response to suggestions by the public, this line was moved west of Kearny Street. This change now requires amendment of the language of the retail continuity requirement to make it continue to be applicable to the partial blocks in the C-3-R district just west of the line, as well as to full blocks in the remainder of the district.

No one was present in the audience to speak in favor of or opposition to these proposed amendments.

The Director recommended adoption of a draft resolution approving these amendments.

After further discussion, it was moved by Commissioner Kearney, seconded by Commissioner Fleishhacker, and carried unanimously that Resolution No. 6243 be adopted and that these four technical amendments be approved.

The meeting was adjourned at 5:30 P.M.

Respectfully submitted,

Lynn E. Pio
Secretary

[illegible] applicability of parking and loading requirements to city property. That the parking [illegible] loading provisions in the Planning Code were re-considered in the new budgeting [illegible] questions with respect to the applicability of [illegible] parking and loading standards to public properties, [illegible] case. Only city properties are an issue, since [illegible] and federal properties are exempt from local zoning. To be legally correct, the ordinances should specifically note that public [illegible] and uses are intended to be covered by the parking and loading standards, and the recommendation was that the ordinance be amended to this effect.

Application of the C-3-R district zoning controls to [illegible] in the district adjacent to the C-3-O district. When the downtown district boundaries were first [illegible] by the Planning Commission, the boundary between the C-3-O (Office) and the C-3-R (Retail) districts was [illegible] along the center line of Kearny Street. In response to suggestions by the public, this line was [illegible] westerly direction. This change was [illegible] of the language of the retail zoning requirements [illegible] to be applicable to the parcel block in the C-3-R district [illegible] on the line, as well as to full blocks in the remainder of the district.

No one was present in the audience to speak in favor of or opposition to the proposed amendments.

The Director recommended adoption of a draft resolution approving these amendments.

After further discussion, it was moved by Commissioner Kearney, seconded by Commissioner Fleishhacker, and carried unanimously that Resolution No. [illegible] be adopted and that these four [illegible] be approved.

The meeting was adjourned at [illegible] p.m.

Respectfully submitted,

[illegible] E. Frio
Secretary

SAN FRANCISCO

CITY PLANNING COMMISSION

Minutes of the regular meeting held Thursday, July 18, 1968.

The City Planning Commission met pursuant to notice on Thursday, July 18, 1968, at 2:15 P.M. in the meeting room at 100 Larkin Street.

PRESENT: William M. Brinton, President; Mrs. Charles B. Porter, Vice President; Virgil L. Elliott, Mortimer Fleishhacker, Jr., James S. Kearney, and Walter W. Wight, members of the City Planning Commission.

ABSENT: Walter S. Newman

The staff of the Department of City Planning was represented by Edward I. Murphy, Assistant Director of Planning; R. Spencer Steele, Assistant Director-Implementation; Robert W. Passmore, Assistant Zoning Administrator; Samuel Jung, Planner IV; and Lynn E. Pio, Secretary.

CURRENT MATTERS

Edward I. Murphy, Assistant Director of Planning, advised the Commission that a letter had been received from James L. Tipton, attorney for the Palace Hotel, requesting postponement of a public hearing on the proposal to designate the Garden Court of the hotel as a Landmark from August 8 to September 12. The Commission authorized the Secretary to reply to Mr. Tipton that action will be taken on his request on August 8.

Mr. Murphy advised the Commission that Mayor Alioto had received word that the Department of City Planning's application to the Federal Government for funds for the Urban Design Study have been approved.

R. Spencer Steele, Assistant Director-Implementation, reported that the Board of Supervisors, meeting on Monday, had approved the vacation of portions of Lombard and Montgomery Streets for the International Market Center with the conditions which had been recommended by the City Planning Commission. Mr. Steele also advised the Commission that the Board had sustained the Commission's disapproval of a request for reclassification of five parcels of property on Mount Olympus.

Mr. Murphy reported that all of the planning matters which had appeared on the Planning and Development Committee's calendar last Tuesday had been transmitted to the full Board of Supervisors without recommendation.

[illegible]

[illegible]

[illegible] Chairman [illegible] meeting [illegible], July [illegible], [illegible].

The [illegible] Commissioners [illegible] present to [illegible] on the [illegible], [illegible], at 2:15 P.M. in the meeting room [illegible] Main Street.

PRESENT: [illegible] H. Brown, Treasurer-Tax, Charles B. Jones, Vice [illegible], Chairman [illegible] Director [illegible], [illegible] Assessor, [illegible] Judge, [illegible] the Tax [illegible] Commission.

[illegible] Matter of [illegible]

The [illegible] of July [illegible] meeting was [illegible] by [illegible] J. Murphy, [illegible] Town of [illegible]; D. [illegible] Assistant [illegible] Implementation [illegible] Department, [illegible] Features during [illegible] Canal [illegible] Planner III, [illegible] Department.

DISCUSSION [illegible]:

[illegible] Assistant [illegible] Murphy, assisted [illegible] Commission, [illegible] a letter had been [illegible] from [illegible] Hudson, [illegible] for [illegible] that it, [illegible] proposal [illegible] on the proposal [illegible] Department of [illegible] a [illegible] from [illegible] Commission [illegible] Department [illegible] ready to [illegible] [illegible] [illegible] [illegible].

Mr. [illegible] the Commission [illegible] received [illegible] the Department of [illegible] Planning [illegible] the [illegible] [illegible] for the [illegible] have been [illegible].

[illegible] Commissioner [illegible], reported [illegible] Board of [illegible] [illegible] approved the [illegible] of [illegible] [illegible] Department [illegible] Director [illegible] [illegible] [illegible] [illegible] [illegible] advised [illegible] [illegible] and [illegible] the [illegible] [illegible] of a [illegible] for [illegible] of [illegible] property [illegible] Mount [illegible].

Mr. Murphy [illegible] [illegible] which had [illegible] the Planning and [illegible] [illegible] had been [illegible] to the [illegible] [illegible] [illegible].

R68.45 Acquisition of five lots on Upper Terrace for Mount Olympus Park.

Samuel Jung, Planner IV, reported to the Commission on this matter as follows:

"The five vacant lots at the northern end of Upper Terrace on Mount Olympus have a frontage of 165 feet and a total area of 20,875 square feet. They are in three separate ownerships. Imminent building plans for two of the lots brought a request from the Mount Olympus Neighbors Association for rezoning from R-3 to R-2; the City Planning Commission disapproved the rezoning and was sustained on appeal by the Board of Supervisors. The building permit which has been issued by the City for two of these lots is now before the courts because of private covenant considerations.

There is an excellent view from the property, taking in Golden Gate Park, St. Ignatius Church and Mount Tamalpais. The elevation of the property at the street frontage is approximately 540 feet above City datum, with approximately one-third of the property being level with the street and the remainder dropping off steeply to the north. The City owns a 100 by 100-foot parcel, Mount Olympus park, in the center of the Upper Terrace turnaround immediately to the south of the five lots. Both the park and its now-gone monument to liberty, which was demolished in the interests of safety a few years ago, were donated to the City by Adolph Sutro.

Acquisition of the five lots is in conformity with Objective No. 2 of the Recreation and Park Area Location Plan of the Public Facilities Section of the Master Plan:

> The protection, preservation and enhancement of areas of natural scenic beauty, and the provision of open landscaped areas equitably distributed throughout the city.

and also with Principle No. 4 of the Plan:

> Small parks, containing areas of scenic interest, either natural or created, and providing for passive and some forms of active recreation not requiring organized direction, should be available within 1/2 mile of every residence in the community areas of the city . . .

No appraisal has been made of the property. The current total assessed value is $28,500, which is approximately one-quarter of the market value."

At this point in the proceedings, Commissioner Elliott arrived and assumed his chair at the Commission table.

Mr. Murphy read from a letter which had previously been sent by Allan B. Jacobs to Supervisor Jack Morrison as follows:

> "Thank you for your letters of June 11 and June 12, 1968 regarding the suggestion that the City purchase five vacant lots on Mount Olympus for park use. In principle I support a proposal for acquisition of this property as a park area to preserve and enhance public views. On its merits the suggested purchase of land would qualify as the subject of an application to the Federal Government for an open-space grant for view preservation. Federal assistance might also be requested for acquiring the property as a mini-park with the primary objective of serving the recreational needs of the neighborhood, but I have a strong feeling that this would be stretching the mini-park idea in this case.
>
> As so often happens in decision-making, however, the problem is one of relative values and priorities. In competing for a substantial share of the limited supply of Federal funds, this proposal for public acquisition must be weighed against the claims of congested and disadvantaged low-income areas, such as the Bayview or the Western Addition. Social and economic factors should also be considered in evaluating any proposal for allocating City revenues to assist private purchase by a neighborhood association. Frankly, while I personally agree with acquisition as a park area, I just don't know where the funds could come from."

Mr. Murphy recommended that acquisition of the five lots be approved as in conformity with the Master Plan.

Commissioner Porter pointed out that it would be difficult for residents of San Francisco to get to the property if it were to be purchased for park purposes. She also wondered how much money the Mount Olympus Neighbors Association had raised toward purchase of the park thus far.

Edward Howden, representing the Mount Olympus Neighbors Association, stated that the members of his association were confident that they could raise between $40,000 and $50,000 towards the purchase price of the property. He also noted that two stairways give access to the top of Mount Olympus -- one from Upper Terrace and the other from Seventeenth Street.

Commissioner Fleishhacker remarked that almost any property in the city would meet the standards quoted by Mr. Jung for being in conformity with the Master

[illegible]

[illegible]

[illegible]

Plan. Commissioner Porter agreed; however, she felt that future generations of San Franciscans would benefit if sufficient money were raised to purchase this property for use as permanent open space.

Commissioner Fleishhacker, noting that the owner of two of the subject properties has been prevented from undertaking a construction project which he had planned, stated that he was opposed to any actions taken by public agencies which would cause unnecessary delays thereby improperly penalizing private entrepreneurs. Mr. Murphy stated that the building project is presently being delayed because of a court action initiated by the neighborhood association; however, he did not feel that favorable action on the subject referral by the Commission would directly affect the building project contemplated by the owner.

Commissioner Kearney remarked that the City Planning Commission, during its annual Capital Improvement Program reviews, finds many proposed projects to be in conformity with the Master Plan; however, as in the present case, it is the responsibility of the Board of Supervisors to determine what priority will be assigned to each of the proposed projects.

After further discussion, it was moved by Commissioner Porter, seconded by Commissioner Kearney, and carried unanimously that the Assistant Director be authorized to report that the acquisition for park purposes of Lots 9 through 13, Block 2629A, is in conformity with the Master Plan.

R68.20 26th Street between Treat Avenue and Harrison Street, revocable permit to close and use for recreational purposes.

Mr. Jung reported on this matter as follows:

"The Community Design Center has prepared plans for the East Mission Action Council for the development of Garfield Square and for the use of 26th Street in the one block between the park and the Bernal Dwellings public housing project. The proposal is to close 26th Street to through traffic under a revocable permit for an indefinite period of time, to permit its use for basketball. A driveway would be left open to the parking areas in the housing project. The Housing Authority has no objection to the street closing provided that certain of its suggestions are observed, such as removal of goals which would utilize the access driveway for playing space.

Fencing and bollards would close off the street. New paving would probably be required, since the curbs are too close to the sidelines of the proposed basketball court. No cost estimates have been made.

Plan. Commissioner Porter [illegible], however, [illegible] generations of San Francisco's [illegible] to purchase this property for use as parking [illegible] space.

Commissioner Fleishhacker, noting that a number of [illegible] properties had been [illegible] undertaking [illegible] projects [illegible] planned, stated that [illegible] to any action [illegible] would cause unnecessary [illegible] improper[illegible]. Murphy stated that the [illegible] project is [illegible] being delayed [illegible] a court action initiated by [illegible] however, he did not [illegible] that [illegible] action on the [illegible] by the [illegible] would direct[illegible] affect the building [illegible] contemplated by the [illegible].

Commissioner Fleishhacker [illegible] time [illegible] Planning Commission, [illegible] its annual Capital Improvement Program [illegible] many proposed projects [illegible] in conformity with the Master Plan; however, in the present case, [illegible] responsibility of the [illegible] conservative [illegible] with [illegible] assumed to each of the [illegible] projects.

After further discussion [illegible] Commissioner Porter, seconded by Commissioner Fleishhacker, [illegible] Director be authorized to report that the [illegible] Section 4.105 of Ordinance 15, Block 2323, is in conformity with the Master Plan.

R68.30 Zoth Street between [illegible] and [illegible] revocable permit [illegible] and [illegible] permanent [illegible].

Mr. Jung reported [illegible] as follows:

"The Commission [illegible] has [illegible] plans for the Base Building [illegible] Garfield Square and for the [illegible] Street [illegible] between the park and the [illegible] buildings public [illegible]. The proposal is to place [illegible] through [illegible] a revocable permit for a [illegible] period of [illegible] years for the use for [illegible] driveway would be [illegible] working [illegible] the [illegible] engineer. The [illegible] authority has no objection [illegible] closing [illegible] of its [illegible], such as [illegible] would [illegible] the [illegible] for [illegible].

[illegible] would [illegible] off the [illegible] paving work [illegible] required, since [illegible] too close to the [illegible] of the proposed [illegible]. No cost estimate has been [illegible].

The Interdepartmental Staff Committee on Traffic and Transportation recommended against the revocable permit at its meeting of March 28, 1968, because it believes that although 26th Street does not serve heavy through traffic in this area, it is a valuable bypass for Army Street.

At the meeting of the Board of Supervisors Streets and Transportation Committee on June 26, the Department of Public Works was asked to reconsider its recommendation against the closing. All other departments concerned were asked to prepare reports before the next meeting of the committee on July 25.

The Recreation and Park Department and the Department of City Planning have taken no action because it was anticipated that the playground at Cogswell Polytechnical College, a block away at 26th and Folsom Streets, would become available for lease to the City at a nominal amount. This playground has a basketball court and a softball diamond and consists of approximately 47,000 square feet, whereas the area of 26th Street that would be available for recreation under a revocable permit is only 12,000 square feet, including sidewalks. The Cogswell playground would provide a better and larger facility without interfering with traffic.

However, the lease with Cogswell Polytechnical College can not be obtained in time to use its playground this summer, and its Board of Trustees is agreeable only to a lease for three months next summer, with the right to revew the lease for the following two summers."

After discussion, Mr. Murphy recommended that the proposed revocable permit should not be granted because the street is needed to serve traffic. He further recommended that the city pursue the matter of the Cogswell Playground lease.

Commissioner Kearney suggested that the possibility of using a portion of Garfield Square for the basketball court should be explored further, also.

After further discussion, it was moved by Commissioner Kearney, seconded by Commissioner Porter, and carried unanimously that the Director be authorized to report that the proposed revocable permit to close 26th Street between Treat Avenue and Harrison Street should not be granted because the street is needed to serve traffic. It was further recommended that the city pursue the matter of the Cogswell Playground lease for the more intensive use of Garfield Square.

R68.36 Jurisdictional transfer of a portion of Lot 3, Block 6725 at Roanoke Street and San Jose Avenue from the Department of Public Works to the Public Utilities Commission.

Mr. Jung reported on this matter as follows:

"The parcel in question consists of approximately 2,400 square feet at Roanoke Street and San Jose Avenue, and is a part of a 20,000 square foot vacant parcel acquired by the Department of Public Works in 1928 for the Bernal Cut. It is zoned R-2.

The Water Department's pressure regulating facilities between the Sunset and College Hill reservoir systems are now located at Diamond Street and San Jose Avenue on Lot 19, Block 6755, but are being acquired by condemnation proceedings by BARTD. BARTD will pay the cost of relocating the facilities at the proposed site on a portion of Lot 3, Block 6725. The Department of Public Works will receive the historical cost from the Water Department.

The facility, not completely designed yet, will consist mostly of valves which are normally placed underground. The building will be small, on the order of 8 by 10 feet, and the grounds will be landscaped and surrounded by a protective fence. The installation is permitted in a residential zone by Section 201.1(c) of the City Planning Code.

The remainder of the Department of Public Works property would be suitable for a mini-park and should be reserved for that use."

Mr. Murphy recommended that the proposed transfer be approved as in conformity with the Master Plan.

After discussion, it was moved by Commissioner Porter, seconded by Commissioner Kearney, and carried unanimously that the Assistant Director be authorized to report that the proposed jurisdictional transfer of a portion of Lot 3, Block 6725, from the Department of Public Works to the Public Utilities Commission as shown on Water Department Drawing No. B-3118, is in conformity with the Master Plan.

R68.38 Vacation of a portion of Athens Street south of Valmar Terrace.

Mr. Jung described this matter as follows:

[illegible] Commissioner of a portion of Lot 1, Block 272, as shown [illegible] and are done avoids from the Department of Public Works to the Department Utilities Commission.

[illegible] the matter as follows:

The project in question consists of approximately [illegible] feet on Bonnie Street and the line having [illegible] a 20,000 square foot [illegible] approximately [illegible] Department of Public Works [illegible] for the Bernal [illegible] [illegible] 1-2.

The Water [illegible] pressure regulating facilities [illegible], the Bernal and Silliman Hill reservoirs systems are [illegible] located at Bernal Street and [illegible] Lot 1, [illegible] 6757, but are being supplied by condemnation proceedings by [illegible] with the [illegible] of relocating the [illegible] the property also on a portion of Lot 1, block 6757. The Department of Public Works will remove the [illegible] [illegible] the Department.

The [illegible] designed [illegible] consists mainly of valves [illegible] normally placed underground. The building will be [illegible] in the order of [illegible] feet, and the grounds will [illegible] and surrounded by [illegible]. The [illegible] in a residence [illegible] by section 7.1.1(c) of the [illegible] Planning Code.

The [illegible] of the Department of Public Works properly would be [illegible] for [illegible] and [illegible] for [illegible] use.

[illegible] Commission [illegible] the [illegible] proved [illegible] the Master Plan.

After discussion, it was moved by Commissioner [illegible] seconded by Commissioner [illegible], and carried unanimously that the [illegible] Director be [illegible] to report that the proposed [illegible] transfer of a portion of Lot 1, Block 6757 from the Department of Public Works to the Public Utilities Commission as shown on Water Department Drawing No. W-2117, is in conformity with the Master Plan.

[illegible] Director of Airport [illegible] Terminal.

[illegible] letter as follows:

"In the early 1950's the grid street pattern on the knoll just outside of the northwest corner of John McLaren Park was modified as a part of La Grande Vue subdivision and Valmar Terrace was created, joining Athens Street to make a loop street north of Avalon Avenue. A portion of Athens Street south of Valmar Terrace was vacated, new lots created, and then a 14-foot strip was rededicated as a fee street for a stairway leading down to Avalon Avenue in 1954. The present street area is shown on drawing SUR-1568: the 14-foot strip extending southerly from Valmar Terrace for 100 feet which then widens to 69.5 feet for the next 100 feet. A 6-foot wide walk and concrete stairway in this street area connects Valmar Terrace with Avalon Avenue. The owner of Lot 29, Block 5961, to the east of the stairway on Valmar Terrace has petitioned for the vacation of a strip 7 feet wide and 100 feet long between his house and the walk. He has landscaped this strip with low-growing junipers and has maintained it in a neat and clean condition.

The walk and stairway provide access to the #52 Excelsior bus line on Avalon Avenue below, a local service bus which connects with major bus lines at Geneva Avenue and on Mission Street, and access to schools in the Excelsior district including Luther Burbank Junior High school.

If the proposed vacation is carried out, the abutting owner will be able to fence the 7-foot strip, narrowing the passageway to 7 feet. It would be desirable to leave the passageway at 14 feet, wide enough not to give a hemmed-in feeling.

No vacation is requested for the lower portion of Athens Street, 69.5 by 100 feet, at this time. Although it is steep, it levels off somewhat in the middle and might be developed as a mini-park in the future.

The area is zoned R-1 and is built up with single family houses."

Mr. Murphy recommended that the proposed vacation be disapproved as not in conformity with the Master Plan because the resulting 7 foot wide pedestrian passageway would be oppressively narrow and unattractive to pedestrians.

After discussion, it was moved by Commissioner Porter, seconded by Commissioner Elliott, and carried unanimously that the Assistant Director be authorized to report that the proposed vacation of a portion of Athens Street south of Valmar Terrace, as shown on SUR-1568, is not in conformity with the Master Plan because the resulting 7 foot wide pedtrian passageway would be oppressively narrow and unattractive to pedestrians.

"In the Senate bill, the grid street pattern on the property just east of the northwest corner of Avalon Park was modified so a park of [illegible] Vue and [illegible] Terrace was created, joining Athens Street to make a [illegible] north of Avalon Avenue. A portion of Athens Street south of Valmar Terrace was vacated, new lots created, and then a 14-foot strip was added as a [illegible] for a [illegible] down to Avalon Avenue in 1934. The property about [illegible] on gravity, SUE-1[illegible]: the 14-foot strip, extending [illegible] from Valmar Terrace for 100 feet within then [illegible] to 6[illegible] feet for the next 100 feet. A 4-foot wide walk and concrete [illegible] in this street are connects Valmar Terrace with Avalon Avenue. The owner of Lot 29, Block 1[illegible], on the east of the [illegible] on Valmar Terrace has petitioned for the vacation of a strip [illegible] wide and 100 feet long between the house and the [illegible]. He has landscaped this strip with low-growing junipers and has maintained it in a neat and clean condition.

The walk and [illegible] provide access to the [illegible] bus line on Avalon Avenue below, a local service bus which connects with [illegible] bus lines at Geneva Avenue and [illegible] Street, and access to schools in the Excelsior District including Lincoln Junior High School.

If the proposed vacation is carried out, the abutting owner will be able to fence the 7-foot strip, throwing the passageway to 7 feet. It would be desirable to leave the passageway as 14 feet, wide enough not to give a hemmed-in feeling.

No vacation is proposed for the lower portion of Athens Street, 50.5 by 100 feet, at this time. Although it is steep, it levels off somewhat in the middle and might be developed as a mini-park in the future.

The area is steep, [illegible] and is built up with single family houses."

Mr. Murphy recommended that the proposed vacation be disapproved as not in conformity with the Master Plan because the remaining 7 foot wide pedestrian passageway would be objectively narrow and unattractive to pedestrians.

After discussion, it was moved by Commissioner Porter, seconded by Commissioner Miller, and carried unanimously that the Planning Commission authorized to report that the proposed vacation of a portion of Athens Street south of Valmar Terrace, as shown on SUE-1[illegible], is not in conformity with the Master Plan because the remaining 7 foot wide walk for pedestrians would be objectively narrow and unattractive to pedestrians.

CU68.11 Octavia Street, northwest corner of Fell Street.
Request for a home for the aged with approximately 60 beds in an R-4 District. (Hearing postponed from meetings of May 2, 1968 and July 11, 1968.)

R. Spencer Steele, Assistant Director-Implementation, stated that a letter had been sent to the applicant notifying him that this matter would be scheduled for presentation during the present meeting; however, as the result of a follow-up telephone call, the staff had been advised that the applicant is out of town. Therefore, he recommended that the matter be postponed for one more week.

The Commission asked that the applicant be advised that action will be taken on the application even if the applicant is not present next week.

The meeting was adjourned at 3:30 P.M.

Respectfully submitted,

Lynn E. Pio
Secretary

SAN FRANCISCO

CITY PLANNING COMMISSION

Minutes of the regular meeting held Thursday, July 25, 1968.

The City Planning Commission met pursuant to notice on Thursday, July 25, 1968, at 2:15 P.M. in the meeting room at 100 Larkin Street.

PRESENT: William M. Brinton, President; Mrs. Charles B. Porter, Vice President; Virgil L. Elliott, Mortimer Fleishhacker, Jr., James S. Kearney, and Walter W. Wight, members of the City Planning Commission.

ABSENT: Walter S. Newman

The staff of the Department of City Planning was represented by Edward I. Murphy, Assistant Director of Planning; R. Spencer Steele, Assistant Director-Implementation; Robert Passmore, Assistant Zoning Administrator; and Lynn E. Pio, Secretary.

CURRENT MATTERS

Edward I. Murphy, Assistant Director of Planning, reported that the Board of Supervisors, meeting on Monday, had approved the technical amendments to the C-3 ordinance which were recommended by the City Planning Commission on July 11.

Mr. Murphy advised the Commission that the proposed corner premium amendment to the C-3 ordinance, which was disapproved by the Commission on July 11, will be considered by the Planning and Development Committee of the Board of Supervisors on Tuesday, August 6.

Mr. Murphy informed the Commission that the Recreation and Park Department's proposed bond issue for the South Bayshore area had been approved for inclusion on the November ballot.

Mr. Murphy reported that the proposed acquisition of properties on Mount Olympus for open space purposes was considered by the Finance Committee of the Board of Supervisors on Wednesday. Further consideration will be given to this matter by the Committee at its meeting next week.

Mr. Murphy, noting that the Commission had previously inquired into the procedures followed when developers wish to occupy portions of public streets during the course of building construction projects, indicated that he has prepared to report to the Commission on this matter. He had been advised that the Director of Public Works may authorize occupancy of up to one-half of the sidewalk area or up to one-third of the roadway area for the duration of construction projects. Occupancy of larger areas must be authorized by the Board of Supervisors. After discussion, the Commission asked that a letter be sent to the Director of Public Works asking about the possibility of reducing the area of Front Street near the Embarcadero Center which is presently closed for construction purposes.

Commissioner Kearney remarked that he had read in the newspaper that the Department of City Planning had been requested by the Board of Supervisors to prepare a plan for the Haight-Ashbury district. He asked what steps the Department intended to take in this matter. Mr. Murphy replied that the proposal had been introduced by Supervisor Francois on roll call during Monday's meeting of the Board of Supervisors; and he indicated that the Department had not yet received a formal request from the Board of Supervisors to undertake the study. He assured the Commission that copies of the letter from the Board would be made available to them when it has been received by the Department.

CU68.11 Octavia Street, northwest corner of Fell Street.
Request for a home for the aged with approximately 60 beds in an R-4 district. (Hearing postponed from meetings of May 2, July 11, and 18, 1968.)

R. Spencer Steele, Assistant Director-Implementation, stated that the applicant had first requested authorization for a 60 bed convalescent hospital; subsequently, the application was modified to request a home for the aged with 56 beds. Plans for the home for the aged had been submitted to the staff of the Department of City Planning for review. However, two of the required parking spaces shown on the plans would be inaccessible; and no off-street loading facilities were indicated as required by the City Planning Code. Therefore, unless the plans were to be modified substantially, they could not be approved.

Commissioner Fleishhacker asked about the size of the subject lot. Mr. Steele replied that the lot contains 7600 square feet.

Commissioner Wight asked if the same requirements apply to convalescent hospitals as to homes for the aged. Mr. Steele replied that the state requirements are more stringent for convalescent hospitals; however, the requirements of the City Planning Code are the same in both instances.

Mr. Lindner, the applicant, indicated that the person who had drawn the plans for the proposed facility is in Europe; therefore, he had asked that this matter be continued under advisement until such time as the plans could be modified.

Mr. Steele stated that the staff of the Department of City Planning had expressed very serious concern about the design of the proposed facility; and he felt that the building would probably have to be redrafted completely to meet the objections which had been raised by the staff. He noted that official notice of public hearings on this matter had had to be sent to adjacent property owners on two occasions already; and, if the matter were to be continued under advisement for another indefinite period, a third legal notice would be required. Since the plans which had been submitted would not meet the standards of the City Planning Code or of the building code, and since the applicant had not taken any advantage of the two months which had elapsed since the first hearing of this matter to make revisions in the plans, he recommended that the application be disapproved. After distributing copies of a draft resolution of disapproval to members of the Commission, he recommended its adoption.

It was moved by Commissioner Kearney, and seconded by Commissioner Fleishhacker that the draft resolution of disapproval be adopted.

President Brinton asked if disapproval of the subject application would prevent the applicant from finding a new conditional use application within the next year. Mr. Steele replied that the applicant would have the privilege of filing a new application at any time based on substantially different plans.

Mr. Lindner asked if he could expect Commission approval of the proposed project if he were to return with substantially different plans. President Brinton replied that the Commission could make no commitment in this regard; and he noted that in addition to preparing plans which would meet the requirements of the City Planning Code it would be incumbent upon the applicant to demonstrate to the Commission that there is a need for the type of facility proposed.

At this point in the proceedings, Commissioner Elliott arrived and assumed his seat at the Commission table.

Commissioner Porter noted that rigid requirements established by the state would also have to be met if the proposed facility were to be licensed; and, under the circumstances, she advised the applicant that he should work with representatives of the State Department of Public Health as well as staff members of the Department of City Planning to make certain that the proposed project is feasible.

Mr. Lindner stated that he had discussed his proposal with representatives of the State Welfare Department and of the City Welfare Department on Otis Street. In both instances, he had been advised that there is a need for the type of facility proposed; and the State Welfare Department had indicated that they would approve the plans for the facility if they were to be approved by the City.

James Rabb indicated that he, also, believed that there is a need for homes for the aged in San Francisco; and he emphasized that the plans for the

facility would have been revised as recommended by the staff of the Department of City Planning if their designer had not been out of town.

Commissioner Fleishhacker asked if the staff of the Department of City Planning had any information regarding the need for homes for the aged. Robert Passmore, Assistant Zoning Administrator, stated that there does appear to be a need for such facilities; and, if they were to be constructed, intensive care beds in convalescent hospitals might be released for other patients.

After further discussion, the question was called and the Commission voted unanimously to adopt Resolution No. 6244 disapproving the subject application because of deficiencies in the plans which had been submitted to the staff of the Department of City Planning.

The meeting was adjourned at 3:05 P.M.

Respectfully submitted,

Lynn E. Pio
Secretary

SAN FRANCISCO

CITY PLANNING COMMISSION

Minutes of the regular meeting held Thursday, August 1, 1968.

The City Planning Commission met pursuant to notice on Thursday, August 1, 1968, at 2:15 P.M. in the meeting room at 100 Larkin Street.

PRESENT: Mrs. Charles B. Porter, Vice President; Virgil L. Elliott, Mortimer Fleishhacker, Jr., James S. Kearney, and Walter S. Newman, members of the City Planning Commission.

ABSENT: William M. Brinton, President; James K. Carr.

The staff of the Department of City Planning was represented by Allan B. Jacobs, Director of Planning; R. Spencer Steele, Assistant Director-Implementation; Ruth Jaffe, Planner IV; and Lynn E. Pio, Secretary.

Donald Canter represented the San Francisco Examiner; Ron Moskowitz represented the San Francisco Chronicle.

APPROVAL OF MINUTES

It was moved by Commissioner Fleishhacker, seconded by Commissioner Elliott, and carried unanimously that the minutes of the meeting of July 11, 1968, be approved as submitted.

CURRENT MATTERS

R. Spencer Steele, Assistant Director-Implementation, reported on actions taken by the Board of Supervisors at their meeting on Monday.

Allan B. Jacobs, Director of Planning, reported that the Finance Committee of the Board of Supervisors, meeting on Wednesday, had supported the proposal to acquire five lots on Mount Olympus; however, the matter was sent to the full board without recommendation because of lack of agreement on whether the properties should be used for view preservation purposes or for park purposes.

The Director advised the Commission that the Planning and Development Committee of the Board of Supervisors will meet next Tuesday at 2:00 P.M. to consider the proposed amendment of the downtown (C-3) zoning ordinance involving corner bonuses which was disapproved by the City Planning Commission on July 11, 1968.

CONSIDERATION OF PROPOSED FIVE YEAR CONTINUATION OF QUARRY PERMIT FOR THE SCAVENGER QUARRY SITE ON THE SOUTH SIDE OF LATHROP AVENUE EAST OF TOCOLOMA AVENUE.

Mr. Steele reported on this matter as follows:

"Scheduled for review today by the City Planning Commission is an application (CU67.29) by the Sunset Scavenger Company, Golden Gate Disposal Company and Sanitary Fill Company to extend the authorization for quarrying the hillside area bounded by Lathrop Avenue, Tocoloma, James Lick Freeway City and County line as shown on the attached map.

The material obtained from this quarry is used in the fill and cover garbage disposal operations conducted by the applicants on the adjacent property in San Mateo County. The quarry site, which is approximately 13.8 acres in area and zoned R-1 along its northern boundary, but with the larger part of it zoned M-1 and M-2, was initially authorized by the Planning Commission in September 1958 for the maximum 5 year period allowed under the Planning Code, and then extended in December 1963 for another 5 years under Resolution No. 5709.

The Planning Code requires that quarry applications be processed in the same manner as conditional use applications, but sets a maximum period of authorization of 5 years as described above. The Code further provides that requests for extension of time may have the otherwise required public hearing waived if the Department of City Planning finds that there has been no change in any of the factors pertaining to the renewal application.

The resolution authorizing the present quarrying operations established conditions to protect the neighborhood against undue noise vibration and dust and to insure safety and pleasing appearance of the finished slope. Landscaping of the site was required by the conditions as the site was brought to final grades in accordance with the grading plan authorized in the 1957 approval. The first of the required landscaping was installed in 1964. The work has been examined in the field from time to time by the staff of the Department, and is progressing well. Annual progress reports on the extent of the grading operations have been filed with the Department by the applicant, with the next such report due in October.

Staff of the Department of Public Works, responsible for regulation of the blasting operations, report that the applicant is complying with the provisions of the blasting permit issued to them and are in conformity with the conditions of the Commission's resolution dealing with this aspect of the operation.

Property owners of single-family homes located to the north and northwest of the subject property sued the Sanitary Fill Company and Sunset Scavenger Company in 1964 to prevent blasting operations at the subject quarry and to compensate for alleged damage to their homes. This case has been settled apparently to the satisfaction of the complainants; although no decision was made which required the cessation of blasting operations."

Commissioner Kearney felt that a public hearing of this matter should have been scheduled even though it would not be required by strict interpretation of the City Planning Code. He noted that many residents of the subject neighborhood had appeared before the Commission to complain about the quarry operation when renewal of the permit was being considered five years ago; and, even though the Department of Public Works had indicated that the applicant is complying with the provisions of the blasting permit and with the conditions of the City Planning Commission, he felt that a public hearing should be scheduled on this matter to protect the interests of the neighborhood.

Vice President Porter asked if residents of the neighborhood had been made aware that this matter was to be included on the Commission's agenda. Mr. Steele replied in the negative.

Commissioner Fleishhacker endorsed Commissioner Kearney's proposal that residents of the neighborhood should be made aware that this matter had come before the Commission for consideration.

Mr. Scriaroni, representing the applicants, confirmed that a large number of property owners from the subject neighborhood had appeared before the Commission five years ago. He pointed out, however, that law suits which had been initiated by those property owners against the operators of the quarry were then pending. Yet, since the legal matters had been resolved, he doubted that any complaints about the quarry operation had been registered with the Department of City Planning.

Vice President Porter asked if any complaints had been received by the Department. Mr. Steele replied that he was not aware of any complaints having been received since 1964.

Vice President Porter asked if the quarry operation would have to be suspended if the Commission decided to give notice of a public hearing on the request for another five year extension. Mr. Steele replied in the negative indicating that there would be ample time to schedule and hold a public hearing before the present permit expires in December.

After further discussion, it was moved by Commissioner Kearney and seconded by Commissioner Fleishhacker that an officially advertised public hearing be held on this matter. When the question was called, Commissioners Kearney and Fleishhacker voted Aye; Commissioners Elliott, Newman and Porter voted No. The Commission thus proceeded with consideration of the matter as scheduled.

The Director presented his recommendation on this matter as follows:

> "The excavation of the subject property to provide fill material for the disposal of garbage on the adjacent property in San Mateo County continues to provide a necessary service for San Francisco and is an appropriate use of this site in accordance with conditions of the resolution adopted by the Commission in 1963. The periodic review of the site by staff and reports from the Department of Public Works result in a conclusion that there have been no changes in the factors pertaining to this quarry and my recommendation that this application for renewal of the conditional use be decided without a public hearing.
>
> The continuation of this quarry operation for an additional 5 years is appropriate and I recommend approval of the extension of time. Additionally, I believe that the continuation of the quarry under the conditions incorporated in resolution No. 5709 is appropriate and necessary for the protection of adjacent property and the eventual building development of the subject site, and have prepared a draft resolution for your convenience to achieve this."

Vice President Porter assumed that the quarry operations could be stopped at any time if any of the conditions established by the City Planning Commission or by the Department of Public Works were to be violated. The Director confirmed this fact.

Acting on the request of the Commission, Mr. Steele read the conditions which had been contained in Resolution No. 5709 and which would still continue in effect if the draft resolution presently before the Commission were to be adopted.

Vice President Fleishhacker asked if a public hearing would have to be scheduled if the Commission decided to give notice of a public hearing on the request for another five year extension. Mr. Steele replied in the negative [illegible] that there would be ample time to schedule and hold a public hearing before the present permit expired in December.

After further discussion, it was moved by Commissioner [illegible] and seconded by Commissioner [illegible] that an officially advertised public hearing be held on this matter. When the question was called, Commissioners [illegible] and [illegible] voted aye, Commissioners [illegible], Newman and Porter voted no. The Commission thus proceeded with consideration of the matter as scheduled.

The Director presented his recommendation on this matter as follows:

"The excavation of the subject quarry to provide fill material for the disposal of garbage on [illegible] property in [illegible] County continues to provide a necessary service for San Francisco and is an appropriate use of this site in accordance with conditions of the resolution adopted by the Commission in [illegible]. The periodic review of the site by staff and reports from the Department of Public Works result in a conclusion that there have been no changes in the factors pertaining to this quarry and I therefore recommend that this application for renewal of the [illegible] be decided without a public hearing.

The continuation of this quarry operation for an additional period is appropriate, and I recommend approval of the extension [illegible]. Additionally, I believe that the continuation of the quarry under the conditions incorporated in Resolution No. [illegible] is appropriate and necessary for the protection of adjacent property and the general building development of the subject site, and have prepared a draft resolution for your consideration [illegible]."

Vice President Porter assumed that the quarry operations would be stopped at any time if any of the conditions established by the City Planning Commission or by the Department of Public Works were to be violated. The Director confirmed that fact.

[illegible] the conditions [illegible] have been included in Resolution No. [illegible] which would still continue in [illegible] if the draft resolution currently before the Commission were to be adopted.

In reply to a question raised by Vice President Porter as to the present status of the landscaping of the quarry, Mr. Scriaroni submitted and described photographs which he had taken of the site.

After further discussion, it was moved by Commissioner Fleishhacker, seconded by Commissioner Newman, and carried 4 to 1 that Resolution No. 6245 be adopted and that the quarry operation be authorized for a renewal period of five years subject to all provisions of Conditions 1 through 4 inclusive of Resolution No. 5709, including continuance throughout this renewal period of the performance bond and insurance required by Condition No. 1 thereof. Commissioners Elliott, Fleishhacker, Newman, and Porter voted Aye; Commissioner Kearney voted No.

At this point in the proceedings, Commissioner Elliott absented himself from the meeting room for the remainder of the meeting.

REFERRAL

R68.43 Vacation of air space over portions of Gaines Street south of Union Street.

Mr. Steele reported on this matter as follows:

"Gaines Street is an easement street 35 feet wide and 275 feet long extending north and south between Green and Union Streets and parallel to Sansome and Battery Streets. It is in the M-1 zoning district and the 84-foot Northeastern Embarcadero height limit district.

The vacation of air space has been requested by North Waterfront Associates, Inc., who wish to build a connecting passageway between the two cold storage warehouses on either side of Gaines Street which have been converted to showrooms for commercial and institutional furnishings. The passageway is to be glassed in and will connect the second through the sixth floors of the buildings, with a 14-foot high opening at street level to allow vehicles and pedestrians to pass underneath.

Ground level is at 5.75 feet above City datum. The air space to be vacated extends vertically between 19.75 and 89.75 feet above City datum, and extends for a length of 36 feet, starting 39 feet south of Union Street. In addition, the vacation of two 5-foot strips each 100 feet long has been requested adjacent to the two buildings for the purpose of entry steps, entry platform, bases for six 12" columns, and landscaping.

There are five other owners on Gaines Street who have consented to the vacation. The street has primarily served rear truck entrances. It has no sidewalks. The Interdepartmental Staff Committee on Traffic and Transportation recommended approval of the vacation at its meeting on July 25, 1968."

Commissioner Kearney, noting that the developers of the International Building had been required to pay the City for vacated air rights over St. Mary's Square, asked if payment would be made to the City in the present instance, also. Mr. Steele replied in the negative, indicating that the street is actually owned by the abutting property owners; the City has merely held an easement over their property. If the street were owned in fee by the City, payment would have to be made for vacated air rights.

The Director recommended that the proposed vacation be approved as in conformity with the Master Plan provided that the vacation of the two 5 by 100 foot strips include the ground underneath and further provided that projections required by the building code will be permitted above the elevation of the air space vacation.

After further discussion, it was moved by Commissioner Kearney, seconded by Commissioner Fleishhacker, and carried unanimously that the Director be authorized to report that the proposed vacation of air space over portions of Gaines Street south of Union Street, as shown on SUR-1868, is in conformity with the Master Plan, provided that the vacation of the two 5 by 100 foot strips include the ground underneath, and further provided that any projections required by the building code will be permitted above the elevation of the air space vacation.

The meeting was adjourned at 3:10 P.M.

Respectfully submitted,

Lynn E. Pio
Secretary

SAN FRANCISCO

CITY PLANNING COMMISSION

Minutes of the regular meeting of Thursday, August 8, 1968.

The City Planning Commission met pursuant to notice on Thursday, August 8, 1968, at 2:15 P.M. in the meeting room at 100 Larkin Street.

PRESENT: Mrs. Charles B. Porter, Vice President; Virgil L. Elliott, Mortimer Fleishhacker, Jr., James S. Kearney, and Walter S. Newman, members of the City Planning Commission.

ABSENT: William M. Brinton, President; James K. Carr.

The staff of the Department of City Planning was represented by Allan B. Jacobs, Director of Planning; R. Spencer Steele, Assistant Director-Implementation; Wayne Rieke, Planner IV-Zoning; Robert De Velbiss, Planner III-Zoning; and Lynn E. Pio, Secretary.

Donald Canter represented the San Francisco Examiner; Ron Moskowitz represented the San Francisco Chronicle.

APPROVAL OF MINUTES

It was moved by Commissioner Fleishhacker, seconded by Commissioner Newman, and carried unanimously that the minutes of the meeting of July 18, 1968, be approved subject to corrections being made in the first complete paragraph contained on page four.

CURRENT MATTERS

The Director reported that the Board of Supervisors, meeting on Monday, had approved the purchase of five lots on Mount Olympus for open space purposes and had requested the Department of City Planning to prepare an application for a federal assistance grant to defray a portion of the cost of the properties. The Board of Supervisors had also, by an 8 to 3 vote, overruled the Commission's disapproval of a request for reclassification of property on 12th Avenue north of Clement from C-2 to R-4 in an area which is predominantly zoned R-3.

The Director advised the Commission that the proposed amendment of the Downtown (C-3) Zoning Ordinance involving corner bonuses had been scheduled to be considered at a special meeting of the Planning and Development Committee of the Board of Supervisors last Tuesday but was postponed until August 20.

The Director submitted a draft resolution authorizing Edmund Navarro, Junior Management Assistant to sign Civil Service forms in the absence of the

Commission Secretary. After discussion, it was moved by Commissioner Newman, seconded by Commissioner Elliott, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 6251.

Subsequently, the Director submitted a draft resolution which would authorize Mr. Navarro to sign revolving fund checks in the Secretary's absence. It was moved by Commissioner Fleishhacker, seconded by Commissioner Newman, and carried unanimously that this draft resolution be adopted as City Planning Commission Resolution No. 6252.

Commissioner Elliott, noting that the newspapers had reported that Playland at the Beach had recently been sold to a developer, asked if that property is covered by the Ocean Beach interim 40 foot height limit. The Director replied in the affirmative.

CONSIDERATION OF PROPOSAL TO DESIGNATE THE GARDEN COURT OF THE SHERATON PALACE HOTEL AS A LANDMARK.

The Secretary stated that a letter had been received from James L. Tipton, attorney for the Sheraton Palace Hotel, requesting that hearing of this matter be postponed until September 12. Subsequently, it was moved by Commissioner Newman and seconded by Commissioner Kearney that the postponement be granted as requested.

Commissioner Fleishhacker asked what would be gained from having the Garden Court designated as a landmark if the entire hotel should be demolished at some future date. Mrs. Peter Platt, representing the Landmarks Preservation Advisory Board, stated that the Garden Court is structurally separate from the rest of the building; and she felt that it could easily be incorporated into any new building which might be constructed on the site. In any case, she had been advised by the management of the hotel that they have no present plans for demolishing the building.

When the question was called, the Commission voted unanimously to postpone hearing of this matter until the meeting of September 12, 1968.

CONSIDERATION OF PROPOSAL TO DESIGNATE THE SOUTH SAN FRANCISCO OPERA HOUSE, SOUTHWEST CORNER OF MENDELL STREET AND OAKDALE AVENUE AS A LANDMARK.

Mrs. Platt advised the Commission that this matter had been considered by the Landmarks Preservation Advisory Board for approximately one year. During that time, consideration had been given to the possibility of moving the building to another location; however, since it had now been determined that the building would remain on its present site, the Landmarks Preservation Advisory Board,with the consent of the owner, had proposed its designation as a landmark. She stated that the building had been constructed in 1888 as a theater; and she indicated that it has been used for many purposes since that time. Most recently, a proposal had

been made by Mayor Alioto's office that the building be used as a movie theater.

Vice President Porter asked if designation of the building as a landmark would in any way affect the owner's right to do what he wishes with the interior of the building. Mrs. Platt replied that the landmarks designation would affect only the exterior of the building; the interior could still be used for any legal purpose at the discretion of the owner. She also stressed that the landmarks designation would pertain to the building only and not to the site as such. If the building were to be moved, the owner would give the Landmarks Board six months notice; and the Board would work with him to find another appropriate site for the building. Should the building have to be demolished, the owner would be required to wait for six months after giving notice to the Landmarks Board; and, if the Board of Supervisors so desired, they could extend the waiting period by six months. The owner of the building had been advised of these details.

Bruce Fratis, attorney for Mr. Viargues, owner of the subject property, stated that his client would have no objection to the proposal to designate the building as a landmark providing that the designation would not affect the use of the interior of the building and providing that the designation would not in any way involve acquisition of the property through eminent domain or condemnation procedures. Mrs. Platt assured Mr. Fratis that the landmarks designation would in no way affect his client's ownership of the property; the designation would only protect the facade of the building.

Fred Brown stated that he had been very much concerned about the points raised by Mr. Fratis; however, he was pleased that the matter had been satisfactorily resolved.

The Director recommended adoption of a draft resolution designating the South San Francisco Opera House as a landmark.

After further discussion, it was moved by Commissioner Kearney, seconded by Commissioner Newman, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 6246.

CONSIDERATION OF PROPOSAL TO DESIGNATE THE HALLIDIE BUILDING, 130 SUTTER STREET, AS A LANDMARK.

The Secretary read a letter from Michael C. Hone, attorney for Mrs. Lorena Nidorf, one of the owners of the subject building. Mrs. Nidorf had not received a written notice of the present public hearing; and she wished to have the hearing postponed.

Vice President Porter stated that she had received a letter from Dr. Shumate, Chairman of the Landmarks Preservation Advisory Board, requesting that hearing of this matter by the Commission be postponed indefinitely.

Robert De Velbiss, Planner III-Zoning, stated that some of the legal owners of the building are not listed as owners of record in the Assessor's Office; therefore, while the staff had met its legal obligation for notification, he regretted that some of the actual owners of the property had not received written notice of the scheduled hearing.

Mr. Hone, who was present in the audience, confirmed that the staff of the Department of City Planning had made every possible effort to contact the actual owners of the building.

Vice President Porter felt that it would be advisable to return the matter to the Landmarks Preservation Advisory Board until the problems raised by the complicated ownership of the building have been resolved.

After further discussion, it was moved by Commissioner Kearney, seconded by Commissioner Newman, and carried unanimously that this matter be referred back to the Landmarks Preservation Advisory Board for further consideration.

CURRENT MATTERS, CONTD.

Vice President Porter remarked that all of the members of the Commission had received a copy of a letter addressed to Mr. Brinton by John O. Merrill, Jr., Chairman of the Board of Trustees of the San Francisco Art Institute, requesting postponement of the public hearing on modification of the Art Institute's expansion project from August 15 to August 29. She asked the Secretary to respond to Mr. Merrill's letter advising him that the Commission would not have any jurisdiction to act on his request until August 15.

At 2:55 P.M. Vice President Porter announced that the meeting was recessed. Members of the Commission then proceeded to Room 282, City Hall, and reconvened at 3:00 P.M. for hearing of the remainder of the calendar.

3:00 P.M. - Room 282, City Hall

CU68.17 2371 - 19th Avenue, west line, 145 feet north of Taraval Street. Request for construction of a parking lot in an R-3 District to be used in conjunction with a gasoline service station to be rebuilt on adjacent commercially zoned property. (Postponed from meeting of July 11, 1968.)

R. Spencer Steele, Assistant Director-Implementation, referred to land use and zoning maps to describe the subject property.

Rex Dalrymple, representing the Shell Oil Company, stated that his firm wished to expand and modernize the subject service station to accommodate the large number of people traveling on 19th Avenue; and, since the subject facility is the only one operated by the Shell Oil Company along southbound Highway 1 (19th Avenue)

[illegible]

[illegible]

[illegible]

in San Francisco, the subject application was regarded by them as being very important. If the subject application were approved, ingress and egress conditions would be improved substantially; and the service station would be reconstructed as a ranch style building with appropriate landscaping. Three advertising billboards presently on the site would be removed. In conclusion, he stated that continued access would be provided to the landlocked property behind the strip of property owned by the Pacific Telephone and Telegraph Company.

Commissioner Fleishhacker asked if the strip of property would continue to be owned by the Pacific Telephone and Telegraph Company. Mr. Dalrymple replied in the affirmative; however, he indicated that the Shell Oil Company would have easement rights for use of the strip for all purposes except for construction of a building on it.

Joseph Balanesi, Jr., representing the Parkside District Improvement Club, advised the Commission that it has been the policy of his organization to oppose any encroachment of commercial uses into existing residential districts, primarily along 19th Avenue; however, since the proposed project would improve both the appearance of the site and the safety of ingress and egress, they did not wish to oppose the subject application. Yet, they were concerned about minimizing the height of the retaining wall proposed by the applicants; and they hoped that the wall could be constructed in steps with planter boxes for hanging plants being provided at intervals; in addition, they hoped that the surface of the wall could be finished in a material which would have a pleasant appearance but which would discourage people from writing on it. Mr. Balanesi indicated that the members of the association were also concerned about the fact that only one catch-basin had been proposed by the applicants on the site; and, while this single catch-basin would fulfill the letter of the law, they felt that additional catch-basins might, in fact, be needed. In conclusion, Mr. Balanesi stated that he felt that the landscaping plans proposed by the applicant could be improved through further consultation with the staff of the Department of City Planning. Therefore, he asked that the application be approved subject to its being referred back to the staff of the Department of City Planning for further discussion.

Gilbert Meyer, owner of the landlocked parcel of property behind the service station, indicated that he had no objection to the application but wished to go on record with the statement that he did not intend to give up his legal right of easement across the property owned by the Pacific Telephone and Telegraph Company.

Mr. Steele submitted a draft resolution of approval containing five conditions, the first of which reads as follows:

> "The construction of the parking lot and the reconstruction of the adjacent service station shall be in general conformity with the plot and grade plan on file with the

application and marked "Exhibit A". Details of said plan including, but not limited to, the size, number and variety of plants to be used in landscaping and the size and treatment given to the face and top of the retaining wall along the Taraval Street property line shall be worked out in consultation with the staff of the Department of City Planning prior to filing any application with the Central Permit Bureau for permits to reconstruct the existing service station."

After summarizing the four additional conditions, Mr. Steele recommended adoption of the draft resolution.

Mr. Balanesi indicated that he found the draft resolution to be satisfactory.

Mr. Dalrymple stated that the retaining wall would be constructed of used brick which resists writing and which can be easily sandblasted if it should become marred.

After further discussion, it was moved by Commissioner Newman, seconded by Commissioner Elliott, and carried unanimously that Resolution No. 6247 be adopted and that the application be approved subject to the conditions contained in the draft resolution.

CU67.28 3628-98 California Street and 3747-99 Sacramento Street between Spruce and Maple Streets.
Request for expansion of the Hahnemann Hospital in R-3 and R-4 Districts.

Mr. Steele referred to land use and zoning maps to describe the subject site. He noted that the Commission, in 1966, had approved an expansion project for the Hahnemann Hospital so as to provide a maximum of 186 acute care beds. Plans which were then approved would have provided a new four level hospital wing to be constructed to the north of the existing hospital to a height of approximately 25 feet above Sacramento Street. A minimum of 50 off-street parking spaces would have been provided in a two level parking structure between the new wing and Sacramento Street. However, that project had never been undertaken. Instead, the hospital had acquired an additional 77 feet 6 inches of frontage on California Street to be used for parking; and, as a result, the expansion proposal had been modified to such an extent that a new conditional use authorization would be required. Therefore, the subject application had been brought before the Commission.

Vice President Porter asked how the height of the building now proposed would compare with the height of the Sacramento Street building recently constructed by Children's Hospital. William L. Ferdon, representing Hahnemann Hospital, displayed a rendering of the proposed building and pointed out that its height would be less than that of the building which had been constructed by Children's Hospital.

Mr. Ferdon advised the Commission that the Hahnemann Hospital had already spent $199,000 in architectural fees and $527,000 for property acquisition; thus, they were definitely committed to the expansion project which was now proposed. The new hospital would have a total of 238 beds; and 72 parking spaces would be provided in three separate parking areas. After completion of the project, the 88 patient beds available in the existing hospital building would be used for extended care patients; the 150 new beds would be used for acute care patients. The parking ratio of the new facility would be one parking space per every 2.7 beds; and the over-all parking ratio would be one parking space for every 3.3 beds. Mr. Ferdon emphasized that the acute care beds would generate a larger amount of traffic than the extended care beds; and, in any case, he felt that Hahnemann Hospital would not attract as much traffic as other hospitals which contain clinics and other such facilities. Mr. Ferdon stated that meetings had been held with residents of the neighborhood to discuss the proposed expansion project. At these meetings, the major subject of concern was parking. He acknowledged that parking in the subject neighborhood is difficult; however, he felt that this problem would not be changed substantially until public parking garages are built in the neighborhood by the Parking Authority. He pointed out that a new garage was recently constructed by Children's Hospital in the neighborhood; and, although he did not know the occupancy rate of that garage, he assumed that visitors to Hahnemann Hospital could use the facility since it is open to the public for a fee. In addition, 60 on-street parking spaces are available around the perimeter of the property owned by Hahnemann Hospital. In conclusion, he stated that the Hahnemann Hospital had tried to provide the absolute maximum of parking possible on its site; and he felt that the hospital would have a better parking ratio than any other in San Francisco.

Vice President Porter asked Mr. Ferdon to give his definition of an extended care patient. Mr. Ferdon replied that he had used the term to classify patients who would remain in the hospital for more than three weeks.

Franklin Lyons, owner of property in the subject neighborhood, asked to be permitted to speak in rebuttal to the Director's recommendation if necessary.

Mrs. Jack Light, 306 Maple Street, stated that she was quite concerned about parking problems in the subject neighborhood. She pointed out that many of the older homes in the neighborhood do not have garages; and, therefore, many people living in the neighborhood depend on the availability of on-street parking spaces. She felt that the parking proposed by the Hahnemann Hospital would not be commensurate with the parking requirements which would be generated by the facility.

Vice President Porter advised Mrs. Light that the parking to be provided for the proposed facility would exceed the requirements of the City Planning Code. Parking would be provided at a ratio of one parking space for every 3.3 beds whereas the City Planning Code would require only one parking space for every 8 beds.

Mrs. Light remarked that the combined facilities of Children's Hospital and Hahnemann Hospital would form the largest medical complex in San Francisco; and, for that reason, she felt that the Commission should be aware of the extent to which parking in the neighborhood might be further congested. She had been advised that 36 of the 72 parking spaces which would be provided by Hahnemann Hospital would be reserved for doctors making their morning calls; therefore, only 36 parking spaces would be available for employees and visitors. In conclusion, she stated her belief that parking congestion would be particularly severe during the day since 50 per cent of the hospital's employees would be working that shift.

Vice President Porter doubted that it would be possible for parking conditions to become any worse than they are at present in the immediate vicinity of the hospital. However, she acknowledged that lack of parking spaces in the immediate vicinity of the hospital might encourage people to move further north to look for a parking space.

Mary Malone, 3618 California Street, asked if proper drainage would be provided for the parking lot which would be placed on property which lies immediately adjacent to her building. The architect for Hahnemann Hospital replied in the affirmative.

The Secretary read a telegram which had been received from Lloyd Luckmann, President of the Clay-Cherry Neighborhood Association, urging the Commission to seek a solution to the parking problems of the subject neighborhood.

Mr. Steele submitted a draft resolution of approval containing three conditions. After summarizing and explaining the conditions, he recommended adoption of the draft resolution.

Vice President Porter believed that employees of the hospital complicate the neighborhood's parking problems more than visitors to the hospital; and she wondered if Hehnemann Hospital, like Children's Hospital, would prohibit its employees from parking in the parking lots which would be provided. Mr. Ferdon replied in the negative. Furthermore, while the staff of the hospital would be increased from 150 employees to 320 employees, some of these employees would be hired only on a part-time basis.

Commissioner Fleishhacker asked if the applicants understood that adoption of the draft resolution would make it mandatory for the hospital to convert its existing hospital building to an extended care facility for a maximum of 88 patients. Mr. Ferdon replied in the affirmative.

After further discussion, it was moved by Commissioner Kearney, seconded by Commissioner Newman, and carried unanimously that Resolution No. 6248 be adopted and that the application be approved subject to the conditions contained in the draft resolution.

At 4:10 P.M. Vice President Porter announced a five minute recess. The Commission reconvened at 4:15 P.M. and proceeded with hearing of the remainder of the agenda.

R68.19 Vacation of Grove Street between Stanyan and Shrader Streets.

Mr. Steele reported on this matter as follows:

"St. Mary's Hospital has requested the vacation of Grove Street, a fee street, between Stanyan and Shrader Streets. The hospital, which owns the land on either side of Grove Street, wishes to rebuild and expand with a new hospital building, an accessory medical building, and a garage structure. The vacation of Grove Street will not only add 28,359 square feet to the hospital site, but will also permit the existing hospital to continue in use while the new buildings are under construction.

The conditional use application for the new development, CU68.6, was taken under advisement by the City Planning Commission on March 7, 1968; at the request of the petitioner, the Commission is considering the conditional use again, along with new plans for the hospital, on August 8.

This portion of Grove Street is 412.5 feet long and 68.75 feet wide. The sidewalks are 15 feet wide and the roadway is 38.75 feet. In this one block it is one-way eastbound and primarily serves the hospital. A 24-hour traffic count taken in May totaled 2,012 vehicles; the morning peak hour had 242 vehicles. Since Grove Street ends at Golden Gate park on the west and at Alamo Square on the east, it is a quiet neighborhood street in the eleven blocks in between. Its closing for one block at the western end will increase the traffic load on Fulton, Stanyan, Shrader and Hayes. Hayes Street does have excess capacity at present.

The traffic study made for the hospital by Wilbur Smith and Associates stated that tow-away restrictions on curb parking on Fulton and Shrader Streets could correct deficiencies in capacity on those streets.

This block of Grove Street is not now of importance to pedestrians bound for Golden Gate Park since there is no entrance to the park opposite Grove Street at this time."

In conclusion, Mr. Steele stated that there appeared to be considerable public benefit to be derived from the closing of Grove Street in the subject block; however, before taking action on the vacation request, he felt that the Commission should review the proposal which had been developed by St. Mary's Hospital for use of the vacant street area.

Vice President Porter asked if the Commission's decision on the street vacation should be directly related to its decision on the conditional use application which had been filed by St. Mary's Hospital. Mr. Steele replied that the street vacation would not be appropriate at the present time if the Commission were not disposed to approve the plans which had been prepared by St. Mary's Hospital.

The general consensus of the Commission at this point was that the conditional use application which had been filed by St. Mary's Hospital should be heard before a vote was taken on the referral matter.

CU68.8 Proposed expansion of St. Mary's Hospital in an area bounded generally by Stanyan, Fell, Parker and Fulton Streets. (Under advisement from meeting of March 7, 1968.)

Mr. Steele reported on this matter as follows:

"After an initial public hearing on March 7, 1968, regarding the proposed expansion of St. Mary's Hospital, the matter was taken under advisement indefinitely. At the March meeting, the Commission indicated that it was concerned about the impact of the proposed expansion on the neighborhood, and wanted to consider simultaneously a request for vacation of the portion of Grove Street between Shrader and Stanyan Streets necessary for the project as proposed.

"The applicant testified at the previous hearing that the proposed enlargement is necessary for two reasons. St. Mary's Hospital has recently merged with Notre Dame Hospital, and the facilities and services provided by the latter hospital must now be provided on the St. Mary's site. Also, advances in medical technology have made many existing facilities obsolete and have required that new research buildings be built. Hospital consultants had advised the applicant that the proposed medical center should provide a minimum of 600 patient beds. They also advised that the hospital should replace existing nonconforming facilities with modern ones, and should be prepared to replace continually facilities as they become outmoded.

"Since March 7, the architectural firm of Hertzka & Knowles had been hired to articulate the design of the buildings and the architects and representatives had discussed architectural solutions with the staff of the Department of City Planning on several occasions. The hospital is now requesting approval of an accessory medical building covering most of Grove Street area between Stanyan and Shrader Streets now proposed for vacation. That building would be two stories above the existing street grade and a hospital tower rising an additional nine stories would be located in the north half of Grove Street.

"Wilbur Smith and Associates, traffic consultants, have been hired by the hospital to study the affect of the proposal on traffic in the neighborhood of the hospital."

Thomas F. Stack, attorney for St. Mary's Hospital, advised the Commission that the project proposed to be undertaken by St. Mary's Hospital would result in the creation of the largest private hospital north of Los Angeles and west of the Mississippi. Therefore, the project would contribute to San Francisco's prestige as a focal point for medical research and science. He then introduced Sister Mary Joanne, Administrator of St. Mary's Hospital.

Sister Mary Joanne related the history of St. Mary's Hospital and emphasized the contributions which it has made to San Francisco since its founding 114 years ago. Given many recent changes in the field of medicine, it had become apparent that the existing hospital buildings prevent the hospital from offering the type of services which should be made available; and, therefore, the hospital had engaged a management consultant firm to help them formulate plans for building a new medical center. She stated that it would be extremely important to construct the new facility as close as possible to the nearest of the hospital's existing buildings which were constructed in 1960 and 1962 respectively; and, for this reason, the closing of Grove Street between Stanyan and Shrader Streets would be absolutely essential.

Vice President Porter asked what provision would be made in the new facility for extended care patients. Sister Mary Joanne replied that 64 beds would be reserved for extended care patients.

Commissioner Fleishhacker asked for a comparison between the number of beds now available in the two hospitals and the number of beds which will be available when the complex is completed. Sister Mary Joanne replied that 438 beds are now available at St. Mary's Hospital and 199 are available at Notre Dame Hospital; the new complex will have approximately 627 beds. Therefore, the new facility would provide slightly fewer beds than are presently available in the two hospitals.

Commissioner Newman asked if Notre Dame Hospital would be completely vacated after the new complex is completed. Sister Mary Joanne replied in the affirmative and indicated that federal funds for the project had been made available contingent upon an agreement that the buildings of Notre Dame would not be sold for hospital use.

Wayne S. Hertzka, architect for St. Mary's Hospital, described a model which had been prepared of the subject neighborhood, remarking first on the present characteristics of the neighborhood and then describing the changes which were presently being proposed. Subsequently, he distributed site plans of the proposed project to the individual members of the Commission and described various details of those plans. He stated that two primary conditions had governed the design and placement of the building: (1) the construction project would have to allow for continued operation of the existing building and (2) in order to provide a proper relationship between the new buildings and the old buildings, the new buildings had had to be designed along an east-west axis rather than a north-south axis.

Vice President Porter asked if a Master Plan had been prepared for future expansion of the hospital complex. Mr. Hertzka stated that the hospital hoped to acquire additional property along Fulton and Stanyan Streets in the future for expansion purposes; in addition, he expected that the psychology building would become obsolete in approximately 20 years. However, in no case did the hospital ever intend to request that Hayes Street be closed between Stanyan and Shrader Streets. Referring again to the model, he noted that it had not been possible to design the new facility to face the park; however, he emphasized that an effort had been made to create as much of a park-like atmosphere as possible on the grounds of the hospital. He stated that several meetings had been held with the staff of the Department of City Planning to discuss various aspects of the plans; and, as a result, the proposed building had been moved northward so that the southern facade would be constructed along the center line of Grove Street instead of occupying the street completely. In addition, provision had been made for pedestrians walking along Grove Street to traverse the subject block by means of a walkway which would be located immediately north of the proposed building. However, since there is no entrance to the park opposite Grove Street, he doubted that this walkway would be much used.

Vice President Porter asked if the height of the proposed building had been reduced since the proposal was last considered by the Commission in March. Mr. Hertzka replied in the affirmative, indicating that he had never supported the proposal for a 19 story building on the site. The building presently proposed would rise only 9 stories above a two level pedestal which would bring the height of the building to an elevation approximately equal to that of the cornice of Saint Ignatius Church.

Commissioner Fleishhacker asked how high the building would rise above Stanyan Street. Mr. Hertzka replied that the height of the proposed building would be 138 feet above Stanyan Street at Grove Street.

Commissioner Fleishhacker asked why it would not be possible for the proposed structure to be located somewhere else other than the precise location specified on the plans. Mr. Hertzka replied that the building would have to be constructed north of the recommended site if Grove Street were not vacated as requested; however, he pointed out that moving of the building northward would split the medical complex.

Commissioner Fleishhacker asked if it would not be possible to connect the building to the rest of the medical complex by way of a bridge structure over Grove Street. Mr. Hertzka replied that problems of elevation and grade would render such an approach impractical if not impossible.

Commissioner Fleishhacker asked if other alternatives had been explored. Mr. Hertzka answered that at least six other alternatives had been considered; however, it had been determined that none of the other alternatives would work.

Vice President Porter assumed that additional buildings would have to be razed if the proposed building were to be relocated northward. Mr. Hertzka responded in the affirmative; and, at the same time, he emphasized that additional properties would have to be acquired by the hospital if the building were to be relocated northward.

William D. Puleston, 522 Stanyan Street, commented on traffic and parking congestion in the neighborhood. He noted that St. Mary's Hospital had recently constructed a garage which was intended for its employees; however, since the garage charges 50¢ an hour for parking and since it closes at 10:30 P.M., he questioned whether it is actually used by employees of the hospital. He felt that matters might be relieved if the city were to install parking meters in the area. He also felt that the hospital should be required to pay as much for the vacated portion of Grove Street as they would be required to pay if it were privately owned. In conclusion, he urged the Commission to consider all aspects of the situation before taking action on the proposal since it would not be possible to make any changes after the building has already been constructed.

The Secretary read a letter which had been addressed to the Commission by Theodore Weiman, 2101 Van Ness Avenue, asking that the Commission's decision on the subject application be delayed to allow other property owners in the subject neighborhood to determine the effect which the proposed project would have on their own interests.

The Director stated that he had understood that the Department of Public Works would recommend that the vacation of Grove Street between Stanyan and Shrader Streets be approved subject to certain traffic controls and conditions; and, since he believed that considerable public benefit would be gained from the vacation of the street, he recommended that the vacation be approved as in conformity with the Master Plan.

Subsequently, it was moved by Commissioner Kearney and seconded by Commissioner Newman that the Director be authorized to report that the vacation of Grove Street between Stanyan and Shrader Streets is in conformity with the Master Plan.

Commissioner Fleishhacker stated that he had not been convinced that the public benefits which would be derived from the street closing would in fact compensate for the closing of the street. He noted that no additional hospital beds would be made available in San Francisco as a result of the project proposed to be undertaken by St. Mary's Hospital. Furthermore, no convincing argument had been offered to demonstrate that it would not be possible to proceed with the proposed project without necessitating the closing of Grove Street in the subject block. He felt that it might be possible to work out a feasible alternative proposal if the hospital were willing to acquire properties to the north through eminent domain proceedings to provide a proper site for the proposed facility.

After further discussion, the question was called and the Commission voted 4 to 1 to authorize the Director to report that the vacation of Grove Street between Stanyan Street and Shrader Street is in conformity with the Master Plan. Commissioners Elliott, Kearney, Newman, and Porter voted Aye; Commissioner Fleishhacker voted No.

Mr. Steele submitted a draft resolution which would approve the conditional use application which had been filed by St. Mary's Hospital subject to nine conditions. After summarizing and commenting upon the conditions, he recommended adoption of the draft resolution.

Vice President Porter, noting that Condition No. 9 of the draft resolution remarked on the possibility that a bridge might someday be constructed to connect with Golden Gate Park over Stanyan Street, asked if responsibility for construction of the bridge would rest with the City or with St. Mary's Hospital. The Director replied that the bridge would have to be provided at public expense.

Mr. Stack, noting that the wording of Condition No. 1 of the draft resolution would limit the new hospital to a total of 593 hospital beds, believed that the correct figure should have been 630 beds. Mr. Steele agreed and modified the draft resolution accordingly.

Mr. Hertzka commented on the fact that Condition No. 6 of the draft resolution provided that the height of the nursing tower exclusive of required penthouses should not exceed 428 feet above city base. He stated that the building would in no case exceed that height to any great extent; however, he felt somewhat uneasy about working with an elevation of 428 feet as an absolute maximum.

Commissioner Fleishhacker suggested that the wording of Condition No. 6 could be changed to make the condition read as follows:

> "The height of the nursing tower exclusive of required penthouses shall be approximately 428 feet above City base and in no case will exceed 9 stories above the two story base unit."

Both Mr. Steele and Mr. Hertzka indicated that this modification would be acceptable.

Mr. Hertzka stated that he was concerned about Condition No. 9 of the draft resolution which set forth various design elements and objectives and which appeared to be mandatory in nature. He was particularly concerned about the recommendation that a pedestrian walkway should be provided across the top of the two story base of the hospital building to connect with a pedestrian bridge over Stanyan Street which might be constructed at some later date. He doubted that such a pedestrian walkway would be used to any great extent; and, if it were used, it might pose a security problem for the hospital.

Vice President Porter questioned whether the taxpayers would ever be willing to pay for construction of the bridge across Stanyan Street at this location.

The Director remarked that the northeast corner of Golden Gate Park has remained untouched and unnoticed for many years; and, in view of the fact that this area of the park is now being rehabilitated, he felt that use of this portion of the park should be encouraged. In his opinion, it would not be difficult for people to climb the two stories necessary to reach the top of the base

of the hospital building; in any case, he felt that the proposal was worthy of further consideration.

Vice President Porter emphasized that Condition No. 9 was advisory rather than mandatory in nature; and she asked if Mr. Hertzka would not be willing to discuss the matter further with the staff of the Department of City Planning.

Mr. Hertzka stated that he would be willing to discuss the proposal further. Subsequently, he advised the Commission that he was also concerned about Paragraph C of Condition No. 9 which suggested that the hospital building should be moved 15 feet northward from the location shown on the site plans. In terms of aesthetics, he felt that the building should be located as proposed; and, if the building were to be relocated as recommended by the staff of the Department of City Planning, considerable additional cost would be involved.

Ted Weiman, property owner in the subject neighborhood, stated that plans for the proposed facility had not been available for review in the offices in the Department of City Planning until that morning. Given a project of the magnitude of the one proposed, he felt that the public should have had a better opportunity to familiarize themselves with the plans. He stated that he had also tried to contact the Planning Director of St. Mary's Hospital to obtain information regarding the project; however, he had not been able to make contact with that individual.

Vice President Porter felt that it was unfortunate that plans had not been available at an earlier date for review; and she suggested that the staff of the Department of City Planning should require applicants to provide final plans for their projects at least one week before scheduled Commission hearings.

After further discussion, it was moved by Commissioner Kearney, seconded by Commissioner Newman, and carried 4 to 1 that Resolution No. 6249 be adopted and that the application be approved subject to the conditions contained in the draft resolution as modified. Commissioners Elliott, Kearney, Newman, and Porter voted Aye; Commissioner Fleishhacker voted No.

CU68.21 1130 and 1150 Sacramento Street and 137 Sproule Lane. Request for authorization to construct a 23 story hotel in R-4 and R-5 Districts. (This application would revise the hotel approved by the Commission on January 4, 1968 by adding 675 square feet of lot area and by extending the parking and hotel facility structure onto its new area to a height of three stories.)

Varnum Paul, representing the owners of the Nob Hill Apartments, requested that hearing of this matter be postponed until such time as all members of the Commission could be present.

Vice President Porter remarked that it would not be possible to guarantee that all of the members of the Commission would be present on any given date; however, consideration could be given to a request for postponement until a particular member of the Commission could be present.

Mr. Paul stated that President Brinton of the Commission had indicated that he was very much interested in the subject application; and, since the application would require the Commission to render a decision on an important matter of policy, he had hoped that the hearing would be postponed until President Brinton returns from vacation.

Vice President Porter stated that it had been made policy of the Commission to grant postponement requests if all parties involved supported the request.

J. Edward Fleishell, attorney for the applicants, stated that he opposed the request for postponement. He noted that opponents of the proposed hotel had appealed the Commission's original conditional use authorization to the Board of Supervisors which had finally sustained the Commission's action. During the interim, additional property had been acquired and improvements had been made in plans for the hotel. He regarded the present request for postponement as another tactic to delay construction of the hotel; and he asked that the Commission proceed with hearing of the subject application as scheduled.

Mr. Paul subsequently questioned the Commission's authority to proceed with the hearing of the application. He noted that the new plans for the hotel included a pavilion bar; and, in his opinion, Section 204.2(c) of the City Planning Code which governs conditional uses in R-3 and higher density residential districts, provides that hotels may be approved as conditional uses only if they do not include "any bar, night club, or banquet room or a restaurant other than a dining room with no direct street entrance and designed for the use of the occupants of the building". Since the hotel presently proposed would include a bar, he felt that the Commission did not have any jurisdiction to grant the subject application.

Mr. Steele believed that the bar could be considered as an accessory use and that it could be approved under the provisions of Section 113 of the City Planning Code.

The Director recommended that the Commission proceed with hearing of the application as scheduled. He noted that opponents of the application were represented; and, therefore, he felt that they could make their case known during the course of the present meeting. In any case, it would be difficult for the Commission to guarantee that the full Commission or any particular member of the Commission would be present at any future hearing.

Mr. Paul stated that he felt the Commission should have the opinion of the City Attorney regarding its authority to consider the subject application which involved a bar. Vice President Porter pointed out that the City Attorney's Office had closed more than 50 minutes ago; and she indicated that she regretted that Mr. Paul had not discussed the terms of his opposition with the staff of the Department of City Planning previously so that the legal question could have been resolved through the City Attorney's Office.

Richard Herndon, also an opponent of the application, indicated that he agreed with Mr. Paul's interpretation of Section 204.2(c) of the City Planning Code.

Vice President Porter advised the Director that the Commission wished to proceed with the hearing as scheduled.

Mr. Steele stated that the subject application was similar in nature to the one which had been approved by the Commission on January 4, 1968; however, since the applicants proposed to add 675 square feet of lot area to the site and to extend the parking and hotel facilities structure onto this new area to a height of three stories, they had been required to file a new conditional use application. In conclusion, he remarked that there had been essentially no change in the character of the neighborhood since the last time that this matter had been considered by the Commission.

Mr. Fleishell stated that his clients, subsequent to the approval of original plans for the hotel by the City Planning Commission and the Board of Supervisors, had focused their attention on trying to solve the only major problem which had been raised regarding the original plans, i. e., the problem of traffic flow on Sacramento Street. As a result, they had decided to purchase an additional parcel of property to the north of their original site so that traffic to the hotel could circulate in a clock-wise pattern from Sacramento Street, along Sproule Lane, into the garage and loading areas, and out into the flow of traffic again by way of Ewer Place. In addition, the hotel had been moved 4 feet northward to provide better facilities for the loading and unloading of taxi cabs; and both the density and height of the building had been reduced somewhat. He believed that the building now proposed was much better than the one which had been originally approved by the Commission. He also stated that he had called Mr. Paul twice on the telephone to inquire whether he needed additional information concerning the application; and, on neither occasion, was the question of the legality of the application raised. Therefore, he could not comment on that subject; and he indicated he would rely on the final opinion of the City Attorney with regard to that matter.

Mr. Russell, representing the architectural firm of John Carl Warnecke and Associates, architects for the applicants, described the changes which had been made in the plans for the proposed hotel.

Vice President Porter, noting that the bar which had been included in the new plans seemed to be a center of controversy, asked how large the bar would be. Mr. Russell replied that the bar would have an area of approximately 500 square feet and would contain 25 bar stools.

Mr. Ted Moulton, representing the Nob Hill Association, read a copy of a resolution which had been adopted by the Board of Directors of his association on August 7, 1968, as follows:

"The Nob Hill Association is pleased to see the changes the Applicant has made towards easing the traffic problems and to see a further set-back of the tower. The Association, however, is still gravely concerned with the traffic, loading and stacking problems and believe they can be further alleviated.

As the Applicant holds a long term lease on Lots 2 and 4 facing on Mason Street and Lot 35 facing on Sproule Lane, therefore the use of these lots continues to offer an excellent opportunity of solving the traffic and loading problems. In particular, we request that more study be given service loading on Sproule Lane using Lot 35 as a service yard, as is similarly done at the rear of the Nob Hill Apartments. We are advised by the Applicant's representative that he has no plans to build on these lots, other than the 675 square foot parcel of that Lot 35 included in the Applicant's proposal, but plans to landscape them, and that he acquired these lots for the purpose of protecting the view of the proposed hotel.

The permanence of these proposed open spaces, in addition to their being the means of solving the traffic and loading problems, could well mitigate the nonresidential quality of a hotel at this particular location.

These open spaces could provide a new location for a tot lot as the one now in Huntington Park will become a precarious location because of the increased traffic on Sacramento Street. A tot lot located on Lots 2 and 4 is nearer the homes of the children now using Huntington Park, and would be a definite asset to the hill community."

In conclusion, Mr. Moulton stated that members of his association were not so much concerned about the traffic which would be generated by the proposed hotel as they were with the "stacking" of automobiles, buses, etc.; and they believed that plans for the hotel could still be vastly improved if additional property could be added to the site.

Having been asked to comment on Mr. Moulton's proposal by Vice President Porter, Mr. Russell stated that his clients had proposed to provide truck loading facilities in excess of those which were required by the City Planning Code; and, all things considered, he felt that the truck loading facilities which were being proposed would be sufficient.

Commissioner Fleishhacker asked if the applicants did in fact own additional property immediately north of the hotel site. Mr. Fleishell replied in the

affirmative. He stated that the property is presently developed with houses; however, those houses would have to be demolished because of the terms of their lease agreement. He stated that his clients had no specific future plans for the property; however, in view of the cost of the land, he doubted that it could remain vacant forever. He indicated that his clients had wished to purchase only a small portion of the property to gain rear access to Ewer Place; however, they had been forced to buy the entire parcel of property. In any case, his clients had not been unhappy about that arrangement since they did wish to protect the views from their proposed hotel which would be damaged or destroyed if another building were to be constructed on the adjacent lot; and he felt that some arrangements could be made with the owners of the Nob Hill Apartments if they wished to purchase air rights over that property.

Mr. Herndon pointed out that the garages of the Nob Hill Apartments are located directly opposite from the only entrance which would be provided to the garage of the proposed hotel; and he noted that the hotel's garage entrance would be used both by passenger vehicles and by trucks. In view of the congestion which was bound to occur at that point, he felt that the applicant should be pursuaded to follow Mr. Moulton's suggestion and to add an additional paved area to their site so that service trucks would not block traffic on Sproule Lane. He stated that he, also, was concerned about the bar which was being proposed by the applicants; and he felt that the restaurant-bar arrangement originally proposed by the applicants would be preferable to the separate facilities presently being proposed.

Stuart Kuhn, representing the owner of the Park Lane Apartments, distributed photographs which he had taken to illustrate the extent of traffic and parking congestion along Sacramento Street. He felt that the proposed hotel would contribute significantly to that situation of congestion; and he felt that the revised plans for the facility were little better than the plans which had been originally approved by the Commission. He also noted that the bar which was being proposed by the applicants would overlook the courtyard of the Park Lane Apartments; and he felt that this would constitute an invasion of the privacy of his clients' tenants.

John Denver, representing the Pacific Union Club, advised the Commission that his clients did not oppose a hotel or apartment house for the subject site; however, they felt that the size of the proposed facility would seriously effect traffic and parking problems in the neighborhood. He felt that the proposal made by Mr. Moulton had some merit in that it would alleviate traffic congestion on Sproule Lane; and he pointed out that it would have the further advantage of restraining the future growth of the hotel.

Elizabeth Hay Bechtel, owner of an apartment in the Nob Hill Apartment Building, stated that she was concerned about the proposed hotel because she and others who had purchased apartments had been originally promised that they would own the air rights over the subject property. Furthermore, she pointed out that

the subject portion of Nob Hill has always been devoted to residential use; and she felt that the proposed hotel would thus be inappropriately located on the subject site.

Mr. Paul noted that other individuals who had spoken in opposition to the subject application had indicated that they would not be opposed to the hotel provided modifications were to be made in the plans. However, the owners of the Nob Hill Apartments, whom he represented, were totally opposed to having any hotel located on the site and felt that the staff of the Department of City Planning and the City Planning Commission had been so desirous of approving the hotel that they had not given full consideration to the issues raised by its opponents.

Vice President Porter reminded Mr. Paul that the City Planning Commission had already approved a conditional use application for construction of a hotel on the subject site; and, whether or not the present application was approved, the applicants would have the right to construct the hotel which was originally approved. In voting for approval of the original hotel, she had explained that she felt that the hotel, which would be subject to conditions established by the Commission, would do far less damage than construction of an apartment building similar to the Nob Hill Apartment Building on the site as a principal permitted use. Since a hotel could be built on the site in any case, she asked Mr. Paul to comment on his preference between the two sets of plans which had been prepared by the applicants.

Mr. Paul stated that he and his clients had been confused as to whether the original application had been approved or not since the final plans for that proposal had never been filed with the Commission as required; and he noted that the revised plans had been filed with the Central Permit Bureau at the same time that the application was filed for the new conditional use authorization. He regarded the present application as being brand new and completely independent of the first application which had been approved by the Commission; and, therefore, he felt that the Commission should reconsider all aspects of the case. He noted that Section 304.3 of the City Planning Code provides that the Commission, in order to approve conditional use applications, must establish "(1) that the proposed use at the particular location is necessary or desirable to provide a service or facility which will contribute to the well-being of the neighborhood or the community; and (2) that such use will not, under the circumstances of the particular case, be detrimental to the health, safety or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity." Mr. Paul stated that it was his position that the proposed hotel would be injurious and harmful to property and improvements in the immediate vicinity; and, therefore, he questioned the Commission's authority to grant the requested conditional use authorization. He also pointed out that many people are moving away from San Francisco because of the lack of adequate housing facilities in the city; and, with this point in mind, he felt that the Commission would be ill-advised to authorize conversion of the subject residential property to a commercial use.

Mr. Paul felt that if the hotel were to be approved, the Commission should not be so naive as to believe that the remainder of the property owned by the applicants would remain vacant for any significant period of time. The hotel itself would create a pattern for change in the subject neighborhood; and he was convinced that its effect would be felt immediately. In conclusion, Mr. Paul remarked that no demonstration had been offered that the proposed hotel would be necessary or desirable as required by Section 304.3 of the City Planning Code; and, therefore, he urged that the subject application be disapproved.

Vice President Porter emphasized that Mr. Paul's plea for retention of residential uses on the subject site was moot because of the previous conditional use application which had been approved by the Commission. Since the new application had been filed for the purpose of improving the hotel's traffic circulation, she asked Mr. Paul to address himself specifically to that aspect of the application.

Mr. Paul remarked that traffic congestion in the subject neighborhood has already reached crisis proportion; and he felt that no action should be taken by the Commission which would make the situation worse. The proposed hotel would bring many chartered buses, etc. to the neighborhood; and, since these vehicles traditionally disregard all traffic laws, traffic congestion in the area would surely become much more serious. He remarked that some people had proposed that Sproule Lane should be made into a one-way street; but he did not support that proposal since it would greatly inconvenience the residents of the Nob Hill Apartments.

Stanley Krieger, a resident of Nob Hill, remarked that it is difficult for automobiles to gain access to parking garages on Sproule Lane because of the narrowness of the street; and he felt that it would be even more difficult for trucks trying to gain access to the service area of the proposed hotel.

Mr. Steele submitted a draft resolution of approval containing four conditions. After summarizing the conditions, he recommended adoption of the draft resolution.

Vice President Porter asked if Mr. Steele felt that the suggestions offered by Mr. Moulton were worthy of further consideration. Mr. Steele replied that this would depend entirely upon the disposition of the developer since the additional property had not been included in the subject application.

Vice President Porter then asked if Mr. Steele felt that better plans could be formulated for the hotel if additional property were to be added to the site. Mr. Steele replied that the addition of extra property to the site might lessen some of the problems posed by the hotel; however, he would not be prepared to recommend further extension of the hotel use into the residential area to the north.

The Director remarked that the hotel originally approved by the Commission could be constructed by the applicant even if the present application were to

be disapproved. In his opinion, the hotel presently proposed was substantially better than the first hotel approved by the Commission in terms of traffic circulation; and, in this regard, it fulfilled Condition No. 3 of the resolution adopted in January which specified that final plans for the hotel should be modified to the extent deemed necessary by the Department of City Planning to create the most efficient use of the proposed parking garage and to minimize conflict of vehicular traffic generated by the hotel with pedestrian and general vehicular use of the Sacramento Street and Sproule Lane right-of-ways. Since that condition had been fulfilled, it had not been included in the draft resolution presently before the Commission; however, it was recommended that all of the other conditions contained in the first resolution be continued in effect. With regard to the question raised by Vice President Porter as to the merits of Mr. Moulton's proposal, he felt that further expansion of the site would probably result in a more desirable plan for the hotel. However, since the additional property had not been included in the subject application, the Commission had no authority to require that that property be used for the purposes recommended by Mr. Moulton.

Commissioner Newman felt that even the present plan did not represent the best solution to all the problems posed by the proposed hotel; and he believed that better plans might evolve if the Commission were to request that other possibilities be explored.

Mr. Russell advised the Commission that he and his associates have spent some 90 to 180 days studying various alternative plans for the hotel; and they were convinced that further study on their part would not result in any substantial plan changes.

Commissioner Kearney remarked on the fact that the applicants had gone through the trouble of preparing better plans for the hotel in spite of the fact that the first set of plans had already been approved by the Commission; and, under the circumstances, he felt that it would be unfair of the Commission to penalize the applicant for his trouble by delaying approval of the revised application or by trying to pressure him to use an even greater amount of property for the hotel.

Commissioner Fleishhacker asked if in Mr. Steele's opinion the new bar represented an improvement over the arrangements shown in the original plans. Mr. Steele stated that it was his personal opinion that the new bar would be an improvement; however, the matter would be subject to further review by the Commission as final plans are developed by the applicant.

The Director emphasized that Condition No. 2 of the draft resolution would provide that final plans for the building should be submitted to the City Planning Commission for review and approval prior to the filing of any application for a building permit; therefore, even though he was recommending that the subject application be approved during the present hearing, minor revisions could be made

in the plans prior to the time that final plans for the building are approved by the Commission.

Mr. Herndon felt that the language of the first part of the third condition of Resolution No. 6171 should have been included in the draft resolution presently before the Commission for consideration. The Director replied that inclusion of that language would no longer be necessary since the intent of the requirement had already been achieved through the revised plans which had been prepared by the applicant.

After further discussion, it was moved by Commissioner Kearney and seconded by Commissioner Fleishhacker that the draft resolution be adopted and that the subject application be approved.

Commissioner Newman asked Mr. Fleishell if he felt that there were any possibility of adding further land to the hotel site. Mr. Fleishell replied in the negative.

When the question was called, the Commission voted 4 to 1 to adopt Resolution No. 6250 and to approve the application subject to the conditions contained in the draft resolution. Commissioners Elliott, Fleishhacker, Kearney and Porter voted Aye; Commissioner Newman voted No.

The meeting was adjourned at 7:10 P.M.

Respectfully submitted,

Lynn E. Pio
Secretary

[illegible]

[illegible]

[illegible]

SAN FRANCISCO

CITY PLANNING COMMISSION

Minutes of the regular meeting of Thursday, August 15, 1968.

The City Planning Commission met pursuant to notice on Thursday, August 15, 1968, at 2:15 P.M. in the meeting room at 100 Larkin Street.

PRESENT: Mrs. Charles B. Porter, Vice President; Virgil L. Elliott, James S. Kearney, and Walter S. Newman, members of the City Planning Commission.

ABSENT: William M. Brinton, President; James K. Carr, and Mortimer Fleishhacker, Jr.

The staff of the Department of City Planning was represented by Allan B. Jacobs, Director of Planning; Edward I. Murphy, Assistant Director of Planning; R. Spencer Steele, Assistant Director-Implementation; Phoebe H. Brown, Planner IV; William A. Proctor, Planner IV; and Lynn E. Pio, Secretary.

APPROVAL OF MINUTES

It was moved by Commissioner Kearney, seconded by Commissioner Elliott, and carried unanimously that the minutes of the meetings of July 25 and August 1, 1968, be approved as submitted.

CURRENT MATTERS

The Director reported that he and Commissioner Porter had participated in a ceremony in Golden Gate Park last Friday afternoon at which Robert B. Pitts, Regional Administrator for the Department of Housing and Urban Development, presented to the City a check for $582,864, which represented 95% of the Urban Beautification Grant which the Department of City Planning obtained from HUD for the fiscal year 1967-68. A portion of the grant is being used to finance a summer work program to develop the long neglected northeast corner of Golden Gate Park.

The Director advised the Commission that the Planning and Development Committee of the Board of Supervisors will meet at 2:00 P.M. next Tuesday, August 20, to consider the proposed corner bonus amendment to the Downtown Zoning Ordinance.

The Director informed the Commission that the Zoning Administrator has established a new administrative policy for the Zoning Division requiring that no applications for zoning reclassifications, conditional uses, or variances shall be considered acceptable for filing if not accompanied by required plans or drawings. Exceptions to this rule will not be permitted without the specific approval of the Zoning Administrator.

The Director submitted a draft resolution which had been prepared to set the date of Thursday, September 26 for a public hearing to consider one or more amendments to the City Planning Code, the purpose of which would be to make appropriate changes in the provisions of the Code governing single family occupancy. Subsequently, he recommended adoption of the draft resolution.

After discussion, it was moved by Commissioner Newman, seconded by Commissioner Elliott, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 6253 and that the public hearing be set for September 26, 1968, as recommended by the Director.

R68.50 Request from Board of Supervisors for re-evaluation of proposed Washington Square Underground Parking Garage.

The Director stated that referrals of this sort from the Board of Supervisors are usually not treated as the subjects of a formal public hearing since the City Planning Commission, along with other city departments, bears responsibility only for technical recommendations which will be considered by the Board of Supervisors at their formal public hearing. Nevertheless, Mr. Muskie, representing various merchants in the North Beach area, had requested that discussion of this matter be postponed.

Mr. Muskie, who was present in the meeting room, stated that he had received a letter from the Clerk of the Board of Supervisors stating that he would be advised in advance of any public hearing to be held on the proposed Washington Square Garage. Furthermore, Mayor Alioto had suggested that various statistics concerning the garage be brought up to date; and this process had not yet been completed.

The Director explained that the letter sent by the Clerk of the Board of Supervisors would have pertained only to any public hearing held by the Board of Supervisors on the proposed Washington Square Garage; and he indicated that the letter which had been sent by the Clerk of the Board to the Department of City Planning had requested that the Commission's report on this matter be forwarded to the Board of Supervisors immediately. Based on the information presently available to the staff of the Department of City Planning, he had been able to prepare a recommendation for the Commission; and, consequently, he suggested that the Commission proceed with consideration of the matter as scheduled.

Commissioner Kearney felt that it might be a disadvantage for the proponents of the garage if the Commission should take an adverse position with regard to the proposal without having the most up-to-date information available for its review.

Vice President Porter stated that the Commission was only being asked to reconsider the action which it had previously taken regarding the proposed garage. To her knowledge, plans for the garage had not been altered; and, if the plans were

to be changed at a later date, she assumed that the Board of Supervisors would refer the new plans to the Commission for further review.

Commissioner Elliott stated that the Department of Public Works had also been asked to give its technical recommendation on the garage proposal to the Board of Supervisors; and he indicated that that opinion would be rendered without public debate. Subsequently, all points of view, including those held by Mr. Muskie, would be considered at the public hearing to be scheduled by the Board of Supervisors.

After further discussion, Commissioner Kearney stated that he would be willing to accept the Director's recommendation that this matter be considered at the present meeting as scheduled.

The Director presented his report to the Commission in the form of a memorandum dated August 15, 1968. This memorandum, which is available in the files of the Department of City Planning, reviewed the four conditions contained in Resolution No. 5990 by which the City Planning Commission originally found the proposed garage to be conditionally approved as in conformity with the Master Plan, reviewed changes which had taken place in the parking demand picture of the subject neighborhood since 1966, and summarized the factors bearing upon the garage's conformance or nonconformance with the Master Plan. Based on his analysis of these factors, the Director recommended that the parking garage proposed to be constructed under Washington Square would not be in conformity with the Master Plan for the following reasons:

1. Since, as the project now stands, the proposed Washington Square Garage does not appear to have been modified to meet the conditions set forth in Resolution No. 5990; and

2. In the light of changed circumstances since May of 1966, and in the absence of a conclusive determination of need; and

3. In view of facilities now being provided by the North Beach (Vallejo Street) Garage, and in view of the projected location of dominant future needs for parking close to Broadway rather than in the vicinity of Washington Square.

In conclusion, he submitted a draft resolution setting forth this recommendation for the Commission's consideration.

At the Commission's request, the Secretary read the text of the draft resolution.

After further discussion, it was moved by Commissioner Newman, seconded by Commissioner Elliott, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 6254.

At 2:55 P.M. Vice President Porter announced a five minute recess. The Commission reconvened at 3:05 P.M. and proceeded with hearing of the remainder of the agenda.

CU68.20 The eastern 275 feet of the block bounded by Francisco, Jones, Chestnut and Leavenworth Streets.
Request for modification of conditions authorizing expansion of the San Francisco Art Institute.

Vice President Porter stated that the Art Institute had requested that hearing of this matter be postponed; the principal spokesman for the opponents, however, had indicated that he was scheduled to be out of town at the end of the month and therefore hoped that the matter could be heard as scheduled. Consequently, the Commission had decided to proceed with the hearing as scheduled. At the conclusion of the hearing, the matter would be taken under advisement until the Commission's next meeting on August 22nd.

Chauncey McKeever, representing the San Francisco Art Institute, asked if the Commission had received letters from John Merrill and Paffard Keatinge-Clay stating that they would not be able to be present at today's hearing. Vice President Porter replied in the affirmative and asked if those individuals would be able to attend the Commission's meeting next week. Mr. McKeever replied that Mr. Clay, architect for the applicants, would probably be able to be present at the Commission's next hearing.

R. Spencer Steele, Assistant Director-Implementation, stated that the conditional use authorized by the Commission for the Art Institute in 1966 did not include certain features which were now considered by the Art Institute to be necessary and desirable; therefore, a new conditional use application had been filed by the Art Institute requesting that the conditional use authorization previously granted by the Commission be expanded to include the new features. The new features specified in the present application would include expansion of administrative office space, provision of another lecture hall, and addition of a mezzanine to the dining area which had previously been approved by the Commission. The roof of the dining area, as presently proposed, would slope from 16 feet to 29 feet to provide extra accommodations at the mezzanine level. In conclusion, Mr. Steele stated that the Art Institute property is zoned R-3 and subject to a 40 foot height limit.

Mr. McKeever remarked that the proposed expansion of the Art Institute had been considered by the City Planning Commission in March, 1966, and again in December, 1966, when final plans for the project were approved. He displayed plans for the expansion project and pointed out features which had previously been approved by the Commission as well as features which were now before the Commission for consideration. He noted that the plans contained a red line which had been drawn to show the 40 foot height limit on the property as measured from Chestnut Street; and he remarked that even the revised roof configuration of the dining area would be 11 feet beneath the line of the 40 foot height limit.

Commissioner Porter adivsed Mr. McKeever that the Commission, in considering conditional use applications, may set height limits lower than 40 feet if such limitations are deemed necessary for protection of the neighborhood. If the property were to be developed residentially under the R-3 provisions of the zoning ordinance, the Commission would have no power to set requirements lower than the existing 40 foot height limit; however, since the applicants were requesting authorization for a nonresidential use in a residential neighborhood, the Commission would bear responsibility for establishing any conditions deemed necessary for the protection of the essentially residential character of the area.

Mr. McKeever replied that the Commission had previously approved a smoke stack which would rise to exactly the same height as the proposed roof of the dining area. Furthermore, before the present construction project was initiated, the site was occupied by a stand of poplar trees which blocked views from the west as effectively as any building would. Mr. McKeever distributed photographs of the project which had been taken from various aspects; and he advised the Commission that the Art Institute had entered an agreement with their contractors whereby substantial penalties would have to be paid if the new facilities are not ready to be opened in January. He advised the Commission that the Art Institute had already been forced to stop work on the project twice by order of the Bureau of Building Inspection. The first order was issued on July 11, 1968, and required that a licensed surveyor be hired to verify the height of the building. After a surveyor had certified that the elevation of the northwest corner of the cafeteria building was 124.82 feet, the Bureau of Building Inspection authorized resumption of the construction project. Subsequently, on June 27, an order was issued by the Bureau of Building Inspection stopping work on the cafeteria building because plans for that building had not been approved with the original plans for the project. As a result, the subject conditional use application had had to be filed.

Mr. McKeever stated that work had continued on the remainder of the project; and he felt that the Art Institute had proceeded in good faith and had not exceeded the authorization granted by the City Planning Commission. In any case, he felt that the Commission should be aware that some of the most vociferous opponents to the project had purchased property in the subject neighborhood as late as February, 1968.

Vice President Porter pointed out that none of the features of the project approved by the Commission in 1966 were being disputed at the present time. The matter now before the Commission concerned only those elements of the project which were being requested in addition to those previously granted.

Myron Tatarian, Director of Public Works, asked that Alfred Goldberg, Superintendent of the Bureau of Building Inspection, be permitted to explain the nature of the violations for which the Art Institute had been cited.

Vice President Porter noted the presence of a recording machine in the meeting room and advised its owner that it has been the policy of the City Planning Commission to grant permission for use of such devices subject to the agreement of

the owner that a copy of the transcript of the hearing be made available for the Commission's files. Mr. McKeever stated that he had brought both a recording machine and a stenographer to the meeting; and he agreed to provide the Commission with a copy of the transcript which would result.

Continuing his presentation, Mr. McKeever reiterated the fact that the Art Institute would be required to pay heavy financial penalties in case the project is not completed in January. He stated that it had been originally hoped that new classes would be able to be started in September; however, the best that could be hoped for now was that the January deadline could be met. If the Commission were to approve the subject conditional use application, the problem would be resolved; and, therefore, he was present to urge approval of the application. In any event, the height of the parapet wall would be only 1 foot 10 inches higher than originally proposed; and he did not see how this slight increase could seriously disturb adjacent property owners particularly since their views had been blocked by poplar trees in the past.

The Director noted that the subject conditional use application had had to be filed because the Art Institute had previously failed to file plans covering all aspects of the proposed project; and he noted that it was the applicants and not the opponents who had requested that the public hearing on the subject conditional use application be delayed.

Mr. Goldberg stated that the plans which had been approved by the Bureau of Building Inspection for the Art Institute expansion project had included a page showing the cafeteria building mezzanine; however, a large X had been drawn through this page and had been marked with the letters NIC meaning "Not in Contract". Such deletions are ordinarily removed completely from a set of plans; however, that procedure had not been followed in this case. In any event, no permit had ever been issued for the cafeteria projection; and, thus, an order had been issued requiring that work on that portion of the project be stopped. In conclusion, Mr. Goldberg stated that the order of work stoppage would not affect other aspects of the project.

Mr. McKeever asked if the smoke stacks shown on the plans had been approved. Mr. Goldberg replied that he believed that the smoke stacks had been approved.

Vice President Porter asked if she were correct in understanding that the Art Institute project was not being delayed in any way because of the action taken by the Commission in 1966. The Director replied in the affirmative and indicated that the issue of the legality of certain features of the project which have already been constructed would have to be resolved through discussions between the applicants and the Department of Public Works.

Vice President Porter then asked Mr. McKeever to direct his remarks specifically to the new application which was presently being considered by the Commission.

Mr. McKeever stated that the principal purpose of the new application was to allow construction of a mezzanine above the cafeteria to provide more seating space. He believed that the cafeteria would become a meeting place for students; and, for this reason, he felt it important that adequate room should be provided in the facility. Since the architect for the Art Institute had not been able to be present at this meeting, he felt that it would be difficult to describe the plan additions in any greater detail.

Mr. Steele, referring to the set of plans posted on the wall, described the additions to the project which were now being proposed by the Art Institute.

Vice President Porter asked if the additions being proposed were required because of an anticipated increase in the Art Institute's enrollment. Mr. McKeever replied in the negative, indicating that the enrollment of the Art Institute was fixed at the time of the previous Commission action. He believed that the expansion of the cafeteria had been required to accommodate certain kitchen equipment adequately.

John Ertola, owner of an abutting parcel of property, advised the Commission that he had received an opinion from the City Attorney authorizing him to appear before the Commission in his own behalf even though a section of the Charter prohibits members of the Board of Supervisors from appearing before other boards and commissions. He stated that he opposed the additions to the San Francisco Art Institute which were presently being requested by the applicants. He indicated that he had grown up in the subject neighborhood and that he had held a great affection for the Art Institute; and it was for this reason that he had not raised an objection to the expansion project which was proposed two years ago. He felt that the height and bulk of the buildings now being constructed were destroying the residential character of the subject neighborhood; and, in his opinion, it would not be proper to allow further expansion. When notices were sent of the proposed expansion project in 1966, they indicated that the height of the proposed buildings would be 30 feet on the uphill side and 60 feet on the downhill side. If the site had been developed with residential buildings under the 40 foot height limit, those buildings would undoubtedly have been "stepped down" instead of being built with the bulk requested by the Art Institute. At that time, he had not owned property in the neighborhood. However, property in the area had been owned by his mother; and, for that reason, he had asked an architect living in the area to review the plans in the offices of the Department of City Planning. At that time, the architect had reported that the mezzanine area of the cafeteria had been deleted from the plan; and, although his mother and other property owners in the area had been disappointed with the plans, they had decided not to oppose the application. They had, however, relied on the Art Institute to conform with the plans which had been approved by the City Planning Commission at that time. Subsequently, when the structure appeared to be reaching gargantuan proportions, they had asked that the circumstances be investigated; and, as a result, an order of work stoppage had been issued by the Bureau of Building Inspection. In spite of that order, however, work on the project had not ceased. He felt that it does not make sense to break the law and then to plead for mercy because the law has been broken; and, therefore, he

urged that the present conditional use application be disapproved. In conclusion, Mr. Ertola remarked that the poplar trees which had existed on the site before the project was initiated were deciduous allowing for enjoyment of use from abutting properties in the winter time; and, in any case, the trees had had a delightful quality not to be found in the buildings that are now under construction.

Walter Sontheimer, architect and resident of the subject neighborhood, displayed a photograph which he had taken of the Art Institute property from the west and pointed out various features now under construction which had not been previously approved by the Commission. He also remarked that the smoke stack which had been mentioned by Mr. McKeever is one of substantial size with a width of 14 feet and a thickness of 4 feet; and he advised the Commission that this smoke stack had not appeared on the original plans which had been submitted to the Commission in March, 1966.

In response to a question raised by Vice President Porter, Mr. Steele replied that final plans for the project which had been approved by the Commission in December, 1966, had included the smoke stack. Mr. Goldberg confirmed that the smoke stack had been approved.

Vice President Porter then advised Mr. Sontheimer that the Commission would have no authority to do anything about the smoke stack at the present time.

Mr. Sontheimer believed that the Art Institute had once proposed the lowering of the smoke stack. Mr. McKeever replied that the smoke stack had been redrawn to its original height.

Mr. Sontheimer displayed another photograph of the Art Institute property viewed from Francisco Street and pointed out the differences between the flat cafeteria roof originally proposed and the sloping roof presently being requested. In conclusion, he again questioned whether the smoke stack had actually been approved previously by the Commission.

Vice President Porter recalled that the principal subject of discussion in 1966 had been concerned with parking; and she did not recall that the Commission had addressed itself specifically to the issue of the smoke stack. She asked Mr. Goldberg to comment on whether the smoke stack is legal and whether the smoke stack could be lowered without changing its effectiveness.

Mr. Goldberg replied that a legal permit had been issued for the smoke stack; however, he did not have the technical knowledge to judge whether the smoke stack would work as effectively if it were to be lowered.

Vice President Porter asked Mr. McKeever if the Art Institute would be willing to lower the smoke stack to accommodate residents of the neighborhood if such a modification would not severely limit the effectiveness of the smoke stack. Mr. McKeever replied that both the original plans and the original model of the

proposed project had reflected the smoke stack; and he pointed out that the mezzanine extension which was presently being proposed for the cafeteria would attain the same height of the smoke stack. Under the circumstances, he assumed that any decision on the part of the Art Institute to lower the smoke stack would probably result in disapproval of the present conditional use application by the Commission. In any case, not being an architect, he could not make a commitment with regard to the lowering of the smoke stack.

Mr. Sontheimer noted that the Art Institute, at the request of the Bureau of Building Inspection, had hired a surveyor to verify the height of the parapet wall; and, although a report had been returned stating that the height of the wall does not exceed the height indicated on the approved plans for the project, he felt that the Commission should be aware that the wall is presently 1 foot 9 inches higher than shown on the preliminary plans which were first presented to the Commission in March, 1966.

Mrs. Vivian Walter, 2504 Leavenworth Street, stated that the expansion project has not affected views from her property; however, the nature of the project had upset her faith in the Art Institute. She noted that the Art Institute had wished to have its property zoned R-5 when the new zoning ordinance was adopted in 1960; however, both the City Planning Commission and the Board of Supervisors had refused that request and had placed the property in an R-3 zoning district. Under the circumstances, she felt that the Art Institute should not be allowed to exceed the height and bulk which was previously deemed proper by the Commission; and, of all institutions, she felt that an art institute should be the last one to want to violate laws or to make the city less beautiful. Mrs. Walter noted that the City Planning Commission had previously taken a firm stand in opposition to requests for slight variances from established height limits; and, in all cases, the property owners involved had still been able to construct economically viable buildings. Therefore, she urged the Commission to stand firm in the present instance also. In conclusion, Mrs. Walter commented on the seriousness of the parking congestion problem in the subject neighborhood; and she believed that any further expansion of the Art Institute would only make this problem worse.

Peggy O'Brien, 740 Francisco Street, invited the members of the Commission to visit her home to witness the effect which the Art Institute expansion is having on the subject neighborhood.

Albert Meakin, owner of property on Twin Peaks, remarked that it seemed somewhat paradoxical that the one organization in San Francisco which is devoted entirely to aesthetics should show such a complete disregard for environmental design.

Vice President Porter stated that the Commission, while considering the proposed expansion of the Art Institute in 1966, had understood that residents of the neighborhood were generally in sympathy with the project; and she noted that the only major issue discussed at that time was one of parking.

Mr. Ertola stated that he had not taken an active interest in the project at that time since he had assumed that the project would not be any worse than it had been shown on the plans which had been submitted to the Commission.

Mr. Robert Katz, representing the Telegraph Hill Dwellers, remarked that the 40 foot height limit is in essence somewhat misleading because of the technical way in which it is measured; and, thus, while a building may be within the 40 foot height limit on one side, it may exceed the limit on the other side. In any case, even if the Commission had made a mistake in approving the smoke stack in 1966, he felt that that error should not be compounded by approving the cafeteria extension at the present time.

At 4:15 P.M. Vice President Porter announced a 5 minute recess. The Commission reconvened at 4:20 P.M. and proceeded with the hearing.

Vice President Porter, clarifying the matters which were presently before the Commission, stated that the new conditional use application filed by the Art Institute had requested legalization of the illegal addition to the cafeteria, authorization of construction of a 90 seat lecture hall with administrative offices, and construction of a covering for the gallery. In accordance with a decision announced at the beginning of the hearing, the Commission intended to take the application under advisement until its next meeting on August 22; however, during the interim, she felt that it would be helpful if Mr. McKeever were willing to meet with Mr. Ertola and other property owners in the subject neighborhood to discuss the possibility of making certain changes in the building plans to render the building more acceptable to residents of the neighborhood.

Both Mr. Ertola and Mr. McKeever indicated that they would be willing to act on Vice President Porter's suggestion.

Mr. Ertola asked if he were correct in understanding that work on the project would be stopped pending action by the Commission. Mr. Goldberg replied that the stop order affected only the expansion of the cafeteria; as far as he knew, the parapet extension had been shown on the approved plans.

Mrs. Walter felt that it would be better if all work were to be stopped on the project until final action has been taken by the Commission.

Vice President Porter stated that the Commission would have no authority to require work stoppage on any aspects of the project indicated on approved plans; such a decision could be made only by the Art Institute.

After further discussion, it was moved by Commissioner Newman, seconded by Commissioner Elliott, and carried unanimously that this matter be taken under advisement until the meeting of August 22, 1968, at 3:00 P.M.

The meeting was adjourned at 4:35 P.M.

Respectfully submitted,

Lynn E. Pio, Secretary

SAN FRANCISCO

CITY PLANNING COMMISSION

Minutes of the regular meeting held Thursday, August 22, 1968.

The City Planning Commission met pursuant to notice on Thursday, August 22, 1968, at 1:00 P.M. at 100 Larkin Street.

PRESENT: Mrs. Charles B. Porter, Vice President; Virgil L. Elliott, Mortimer Fleishhacker, Jr., James S. Kearney, Walter S. Newman, and Walter W. Wight, members of the City Planning Commission.

ABSENT: William M. Brinton, President.

The staff of the Department of City Planning was represented by Allan B. Jacobs, Director of Planning; R. Spencer Steele, Assistant Director-Implementation; Ralph Mead, Planner IV-Zoning; and Lynn E. Pio, Secretary.

Donald Canter represented the San Francisco Examiner; Ron Moskowitz represented the San Francisco Chronicle.

1:00 P.M. - Field Trip

Members of the Commission and staff departed from 100 Larkin Street at 1:00 P.M. to take a field trip to view the area of the San Francisco Art Institute.

2:15 P.M. - 100 Larkin Street

The Director reported that the Planning and Development Committee of the Board of Supervisors had met on Tuesday to consider the proposed amendment of the Downtown Zoning Ordinance. Only two members of the Committee were present; and while one member favored the amendment, the other opposed it. Therefore, the matter will go before the full Board of Supervisors on Tuesday, September 3, without a recommendation.

The Director informed the Commission that the staff of the Department of City Planning is presently involved in setting up the mechanisms necessary for carrying out the Urban Design Study which will be financed with Federal Funds; and he indicated that he would want to meet with the Urban Design Committee of the Commission (Newman, Brinton, Elliott) in the near future to discuss the study.

The Director stated that he expected to be able to present to the Commission within the next few weeks the annual report on the Department's activities during the last fiscal year and a revised work program for the remainder of the current fiscal year.

In response to a question raised by Commissioner Fleishhacker, the Director indicated that he would prepare a follow-up report on the present status of the alternate policies recommended by the Commission to the Public Utilities Commission for upgrading of the Municipal Railway.

Following further discussion of related items, the Director stated that he would prepare policy recommendations for consideration by the Commission on alternate proposals for providing rapid transit facilities for the City to the San Francisco International Airport.

Vice President Porter announced a ten minute recess. The Commission reconvened at 3:00 P.M. and proceeded with hearing of the remainder of the calendar.

CU68.20 The eastern 275 feet of the block bounded by Francisco, Jones, Chestnut and Leavenworth Streets.
Request for modification of conditions authorizing expansion of the San Francisco Art Institute. (Under advisement from meeting of August 15, 1968).

Chauncey McKeever, representing the applicants, asked for permission to transcribe the proceedings on a tape recorder. At the same time, he indicated that he would not be able to provide a transcript of the Commission's meeting of August 15 since the tape made at that time had been badly blurred.

Vice President Porter stated that Mr. McKeever's request would be approved if he were willing to provide a transcript of the present hearing for the Commission's files. Mr. McKeever agreed to this condition.

Mr. McKeever noted that neither John O. Merrill, Chairman of the Board of Directors of the Art Institute, nor Paffard Keatinge-Clay, architect for the Art Institute, had been able to be present during the Commission's first hearing on August 15. Mr. Clay would be prepared to make a presentation at today's meeting; however, Mr. Merrill had been subpoenaed to testify in a civil matter and probably would not be able to attend the Commission's hearing.

R. Spencer Steele, Assistant Director-Implementation, stated that he was prepared to respond to two questions which had been raised by members of the Commission during the meeting of August 15. The first question had concerned the number of dwelling units which would be allowed on the site if the property were to be developed under the R-3 provisions of the City Planning Code; and the answer to that question was 95 units. The second question which had been asked related to the total amount of floor space presently being requested in addition to that which had previously been approved by the Commission; and he had calculated that the present application involved approximately 7,064 square feet of floor area in addition to that previously approved by the Commission. The breakdown offered of this figure was as follows: Offices, 1,274 square feet; Lecture Hall, 1,674 square feet; Gallery Expansion, 1,784 square feet; Covered Walkway, 1,372 square feet; Cafeteria, 1,960 square feet; and Cafeteria Mezzanine, 784 square feet.

Vice President Porter asked for an indication of the amount of floor space which had been authorized by the Commission in 1966. Mr. Steele replied that he did not have those figures at hand; however, he believed that the gallery was being expanded by approximately 50 per cent.

Vice President Porter then directed the same question to Mr. Clay. Mr. Clay replied that he could not give an exact reply to the question, either; however, he advised the Commission that the entire project as presently proposed would contain approximately the same floor area as the plan previously approved by the Commission but with a different configuration.

Commissioner Newman asked if the square footage as cited by Mr. Steele had been shown on the original plans on pages which had been crossed out or marked "NIC". Mr. Steele replied in the affirmative.

Mr. Clay displayed a photograph of a model of the proposed project which had been constructed between the months of March and December, 1966. He noted that the lecture hall, the cafeteria, the gallery, and a smaller lecture hall had been depicted on the model; and he indicated that these features had been shown as alternates on the plans which had been submitted to the Commission in December, 1966.

Mr. Clay recalled that he had made a presentation to the Commission in March, 1966, based on preliminary drawings which had been prepared for the project. At that time, the requirements of the Art Institute had been established; however, as the result of the discussion before the Commission, the plans had had to be altered to provide a setback along Francisco Street and to improve the landscaping proposals. At that time, various guidelines were set for the project including a requirement that no part of the project should project above a 40 foot height limit which would be measured from Chestnut Street. The conditional use authorization then requested was granted subject to certain conditions including one condition which stated that final plans for the project should be reviewed by the Department of City Planning before any application was filed for a building permit.

After receiving that authorization, he had proceeded with preparation of detailed plans for the project; and those plans had been brought before the Commission for review in December, 1966. Those plans had included all of the alternate proposals; and, at the time that the plans were considered by the Commission, none of the alternates had been crossed out or marked "NIC". Thus, the proposals presently before the Commission had actually been approved already by the Commission in December, 1966; and, at that time, the only matter of seeming concern to the Commission was that of parking.

Following the Commission's approval of the final plans for the project, negotiations had taken place between the Art Institute and its contractor which had resulted in the deletion of certain portions of the project from their contract. The plans accompanying the permit application had been changed accordingly; however, even the pages which were crossed out or marked "NIC" had been returned with a

stamp of approval. Therefore, when the Art Institute had decided to amend the contract with their building contractor again to include the alternate projects, the plans had not been resubmitted to City Hall. Later, when complaints were registered with the Bureau of Building Inspection about certain aspects of the buildings under construction, the building inspector who visited the site had indicated that he doubted that the pages marked with the letters "NIC" had actually been approved by the city; and, consequently, he had decided to resolve the matter by submitting the new conditional use application which was presently before the Commission for consideration.

Mr. Clay stated that he had not been reticent about bringing the new application before the Commission since the Commission had already approved the additions once in December, 1966, when they were shown as alternates on the final plans. He was aware that residents of the subject neighborhood were opposed to the application because of the height of the proposed additions; however, he pointed out that nothing can be built on a hillside property which will not be seen by someone. He emphasized that all features of the project as proposed would be within the 40 foot height limit; and, therefore, he asked that the new application presently before the Commission be approved. In conclusion Mr. Clay asked, for purposes of clarification, if the Commission was of the opinion that the gallery structure presently being proposed had already been approved.

Allan B. Jacobs, Director of Planning, stated that he had discussed the subject application with Mr. Passmore, the staff member most directly involved with the Art Institute's application in 1966; and he had been advised that none of the alternates now being requested had been considered by the Commission at that time.

Vice President Porter stated that she had not recalled any previous discussion of the additions now being proposed; and this had disturbed her since she usually has a good memory where such matters are concerned. She stated that the only recollection that she had of the previous hearings was that a great deal of discussion was devoted to the subjects of density and parking.

Mr. Steele referred to plans which were posted on the wall to describe the elements of the project which were now being considered by the Commission for the first time. These elements included a new administrative office and lecture hall building, an extension of the gallery, a covered walkway, and a cafeteria. In response to a question raised by Commissioner Fleishhacker, he differentiated the proposed gallery extension from the gallery previously approved by the Commission.

Mr. Clay believed that the present application involved only the mezzanine of the cafeteria and not the cafeteria as a whole. Mr. Steele replied that the entire cafeteria building had been shown as an alternate on the plans which had been reviewed by the Commission in 1966.

Mr. Clay stated that he wished to take the position that the first story of the cafeteria had been approved by the Commission in March, 1966. Therefore, while the present application would involve the various additions cited by Mr.

Steele, including the cafeteria mezzanine, it would not involve the main cafeteria building itself.

Mr. McKeever remarked that necessary approvals for the project were obtained in 1966; yet, no opposition had been raised by residents of the neighborhood until 1968. Because of the opposition which had been voiced by adjacent property owners, the Art Institute had been forced to file a new conditional use application in order to resolve the legality of certain features of the project which had been disputed; however, if the first floor of the cafeteria were in dispute, and if it had not been included in the subject application, he felt that this reflected the lack of cooperation which the Art Institute had received from the staff of the Department of City Planning.

Vice President Porter asked if the Department of City Planning has any control over the content of conditional use applications. Mr. Steele replied that the staff may add to a conditional use application when it is incomplete; and he indicated that this had been done in the present instance. He emphasized that the entire cafeteria was presently before the Commission for its consideration. In order to clarify the background of the cafeteria building, he stated that the Commission, in March, 1966, had approved a flat, one-story cafeteria building for the Art Institute; however, on the plans which had been submitted to the Commission in December, 1966, the entire cafeteria building was shown as an alternate. Consequently, it had not been approved by the Commission at that time.

John Yates, Director of the San Francisco Art Institute, stated that he had been associated with the Institute for approximately 18 months. When he had first accepted the position, the plans for the expansion project were about ready to go out for bid; and they had actually been sent out for bid in February, 1967. Initially, the cafeteria was not included in the building contract; however, when it was realized that funds would be available for that facility, it had been included in the contract. He and others of the Art Institute had believed that they held a valid permit for construction of the cafeteria since the notation "NIC" had referred only to a contractual agreement between the Institute and its building contractor. Furthermore, the letters "NIC" had appeared only on architectural plans and not on electrical plans, etc. which had definitely been approved by the city. In conclusion, Mr. Yates stated that he was most concerned about the Art Institute's relationship with its neighbors; and he advised the Commission that only one resident of the neighborhood, now deceased, had ever come to his office to discuss the project. Under the circumstances, he did not understand why such strong opposition to the project was being voiced at such a late date.

The Secretary summarized or read letters which had been received from Roselyne C. Swig, James J. Ludwig, John Carl Warnecke, and Mason B. Wells indicating their support of the conditional use application presently before the Commission.

Fred Martin, Director of the college, remarked that the Art Institute has a cafeteria at the present time; and, consequently, when funds were a problem, the students and faculty had supported proposals giving first priority to buildings

which would serve educational purposes. Subsequently, however, it had become obvious that the existing cafeteria is so unpleasant environmentally that no one is willing to use it; and, since additional money had been raised for the expansion project, it had been decided that the new cafeteria should be built. At that time, it was believed that all necessary approvals had already been obtained from the city to permit the cafeteria to become a reality. Since this apparently had been an erroneous assumption, he now urged the Commission to approve the subject application for the benefit of the students and faculty of the Art Institute.

Mrs. Vivian Walter, 2504 Leavenworth Street, asked who the real owners of the Art Institute property are. Mr. McKeever replied that the land is owned by the Regents of the University of California; however, the Art Institute has been granted a "dry" or "naked" trust authorizing its use of the property in perpetuity for art school purposes. Under the terms of the trust, the Regents of the University of California are not to be concerned with anything except the actual use of the property; and, therefore, they had not been involved in the present expansion proposal.

John Ertola, owner of a parcel of property which abuts the site of the Art Institute, spoke in opposition to the subject application. He stated that he had grown up with a great regard for the Art Institute; and he felt that it was probably for that reason that he and other residents of the neighborhood had not expressed more concern about the expansion plans which had been announced by the Art Institute in 1966. When notices were received of public hearings scheduled by the Commission in 1966, residents of the neighborhood were concerned about the height and bulk of the proposed project and about the traffic and noise which it would generate; however, an architect who lives in the neighborhood had reviewed the plans for the project in the offices of the Department of City Planning and had found that the items now being requested were not being requested at that time. Therefore, while the expansion then proposed was regarded as a "bitter pill" by residents of the area, they had decided to rely on the good faith of the art school and to "swallow the pill". Now that the Art Institute was once more before the Commission asking for "large pieces of pie in the sky", the neighbors felt that they could no longer remain silent.

Mr. Ertola noted that representatives of the Department of Public Works had been present at the Commission's meeting last week to testify that when plan sheets are crossed out or marked with the letters "NIC", it is commonly understood that they have, in fact, been deleted from the plans. Residents of the neighborhood had thus assumed that the more objectionable aspects of the project had been deleted from the plans. However, when it had become apparent that the Art Institute was exceeding the height authorized by the city, he had visited the school and talked with three of its students who felt that the new additions were ruining the beauty of the school.

Mr. Ertola felt that the main issue at stake was one of integrity. He stated that he and his brother had invested in the property adjacent to the Art Institute in February with the understanding that the size and scale of the Art Institute would not exceed that which had been authorized by the City Planning

Commission. Since that time, various aspects of the project had obviously exceeded the authorization granted by the Commission; and even the smoke stack outside of the cafeteria had grown from a relatively small structure to one with a width of 14 feet. In conclusion, he stated that he hoped that the action taken by the Commission would limit the expansion of the Art Institute to that which was shown on the original plans which had been approved by the Commission.

Peggy O'Brien, 740 Francisco Street, stated that she and other residents of the neighborhood had complained about the additions being made to the Art Institute; however, Mr. McKeever had advised them that they could do nothing about the project so long as it adhered to be 40 foot height restriction. Furthermore, even though she had later learned that other residents of the neighborhood had voiced complaints, she had been told by Mr. McKeever that no one else had expressed any concern over the project. In any case, since no notices had been sent to residents of the neighborhood that the plans were being altered, they had not had any formal opportunity to complain.

Walter Sontheimer, 2446 Leavenworth Street, redisplayed a photograph which had been exhibited at the Commission meeting on August 15 and pointed out how the proposed additions to the Art Institute would affect his view. Subsequently, he asked about the current heights shown in the working drawings for the proposed smoke stack.

Mr. Clay replied that the smoke stack would rise to an elevation of 124.82 feet.

Mr. Sontheimer asked if the smoke stack had been shown at a lower elevation in any of the working drawings prepared for the Art Institute. Mr. Clay replied that the height of the smoke stack had been lowered as a negotiable item with the Art Institute's building contractor; however, the approved building permit held by the Art Institute would allow construction of the smoke stack to the 124.82 foot elevation.

Mr. Sontheimer asked if any of the pertinent city codes would require that the smoke stack be as high as the roof of the cafeteria mezzanine. Mr. Clay replied that the smoke stack would be built to the elevation which had been approved.

Mr. Steele stated that the approved set of plans did show that the smoke stack would rise to the height indicated by Mr. Clay. However, on another set of plans, the height of the smoke stack was shown to be dependent upon construction of Alternate No. 1 (the cafeteria mezzanine).

Vice President Porter asked if Mr. Clay had made up his mind that the smoke stack would be constructed to the maximum allowable height even if it were determined that the stack would be operable at a lower height. Mr. Clay replied in the affirmative noting that the approved building permit had been based on the smoke stack being built to its maximum height.

Mr. Sontheimer asked if the smoke stack had been shown on plans which were submitted to the Commission in March, 1966. Mr. Clay replied in the negative.

Mr. Sontheimer then asked if the model depicted in the photograph presented by Mr. Clay corresponded in all respects to the current plans of the Art Institute. Mr. Clay replied that it was slightly different than the project presently proposed. In the revised plans, the width of the smoke stack had been increased, the west gallery had been shortened, a second smoke stack had been relocated, a new 90 seat lecture hall had been added and certain buildings on the west side of the site would be retained instead of being removed for parking. He pointed out that buildings are not designed in their final form immediately upon the undertaking of a project; rather, buildings develop and change slightly as the project proceeds.

Vice President Porter stated that she was familar with this process; however, she pointed out that the changes which Mr. Clay had made in his plans had not been discussed with the City Planning Commission or with residents of the neighborhood.

Mr. Clay stated that he had discussed the changes with Mr. Passmore, a member of the staff of the Department of City Planning.

Mrs. Vivian Walter, 2504 Leavenworth Street, represented the Russian Hill Improvement Association. She stated that her association has always taken a firm stand on height and floor area ratio limits; and she felt that the Art Institute was violating those standards. In addition, she felt that the Commission should recognize that the subject neighborhood has a severe parking problem; and she hoped that no action would be taken on the present application which would add to parking congestion in the area.

Mr. Ertola, for purposes of clarification, asked if the height of the smoke stack would have to be lowered if the cafeteria mezzanine were not approved. Mr. Steele replied that one set of plans which had been submitted by the applicants indicated that that would be the case; however, the plans which had previously been approved by the Bureau of Building Inspection showed the smoke stack at its maximum height.

The Director felt that it was possible that the smoke stack could be lowered if the cafeteria mezzanine were not approved; however, since the smoke stack had already been approved at its maximum height, it would not <u>have</u> to be lowered.

Commissioner Elliott believed that there is a code provision requiring that smoke stacks be related to the roof line or windows of adjacent buildings; and, therefore, if the cafeteria mezzanine were not to be approved, he felt that the smoke stack would have to be lowered.

Commissioner Fleishhacker asked if any practical purpose would be served by building the smoke stack to the maximum allowable height if the cafeteria mezzanine were not to be constructed. Mr. Clay replied that the smoke stack would go to the maximum allowable height because it is shown that way in the contract between the Art Institute and its builder.

Commissioner Fleishhacker asked if he were correct in understanding that the builder would construct the smoke stack to its maximum height even if he were asked not to by the Art Institute. Mr. Clay replied in the affirmative.

S. Myron Tatarian, Director of Public Works, stated that the fact that the smoke stack had been shown at its maximum height on the approved plans did not imply that it must be built to that height.

Mr. Ertola stated that his primary concern was that nothing be constructed which had not been shown on the plans which were originally submitted to the Commission for review.

Mr. Clay asked what purpose could be served in disputing an item for which a valid building permit had already been issued. Vice President Porter replied that she believed that the point being made was that the Art Institute would not be required to take full advantage of the permit which had been issued.

Mr. McKeever stated that the new plaza being constructed was intended to serve as a gathering place for students; therefore, he felt that it would be desirable to construct the smoke stack as high as possible. However, since it did appear that the height of the smoke stack would be an issue of real concern as viewed from Leavenworth Street, he was willing to propose a compromise whereby both the height of the smoke stack and the height of the cafeteria mezzanine would be lowered by two feet. He remarked that this compromise would cost the Art Institute a great deal of money.

Vice President Porter doubted that the proposed two foot reduction of the smoke stack of the cafeteria mezzanine would greatly relieve the property owners who were appearing in opposition to the application.

Mr. Tatarian felt that there was still a question as to whether the smoke stack could be built to its maximum height; and in any case, the ambiguity between the two sets of plans which had been submitted would require further consideration.

The Director recommended approval in part of the subject conditional use application. He believed that the expansion of the administrative office space and provision of another lecture hall and a one-story cafeteria building would not be detrimental to the adjacent properties; and, therefore, he was willing to recommend their approval. However, since the proposed addition of a mezzanine to the cafeteria would block views to a considerable extent for residents of the western portion of the block, he recommended that this portion of the application be disapproved. Subsequently, he distributed and read a draft resolution which contained the following resolve:

"THEREFORE BE IT RESOLVED, That the City Planning Commission finds that only a part of this proposal meets the conditions set forth in Section 304.3 of the City Planning Code, and said Application is hereby APPROVED in part and disapproved in part in accordance with standards specified in the City Planning Code and subject to further conditions as follows:

1. Expansion of the conditional use shall be in conformity with final plans submitted to the City Planning Commission and approved on December 8, 1966, in Resolution No. 6072, except as additional expansion is permitted by this Resolution.

2. If in the future the City Planning Commission should find the 29 parking spaces shown in the aforementioned plans to be insufficient, then the Planning Commission may require the addition of 17 more off-street parking spaces at that time.

3. A building for additional administrative offices or for classroom or lecture hall space may be added to the previously-approved expansion within the dimensions at the location in which it is shown in preliminary plans filed with this application and marked "CU68.20, Exhibit A".

4. The proposed covered walkway extension and gallery expansion as shown in the aforementioned "CU68.20, Exhibit A" plans may be added to the previously-approved expansion in general conformity with those plans.

5. The proposed cafeteria may be added to the previously-approved expansion authorization, however the cafeteria shall not include a mezzanine, and the roof of the cafeteria shall have a height no greater than 112 feet as shown and related to other elevations shown in "CU68.20, Exhibit A"."

Mr. Clay asked how the Commission could approve the one-story cafeteria building since no plans for that building had accompanied the present application. Vice President Porter replied that plans for that building should accompany the Art Institute's application for a building permit if the building were to be approved by the City Planning Commission.

Mr. Clay stated that he had nothing else to add to his previous testimony except to go on record stating that a complete set of working drawings had been presented to and approved by the City Planning Commission in 1966; and, therefore, he was of the opinion that the negative recommendation presented by the Director of Planning had resulted from a misunderstanding.

The Director stated that there had been no misunderstanding. To his knowledge, the Commission had never looked at or discussed the proposed cafeteria mezzanine.

Mr. Martin stated that while the cafeteria would be more crowded without the mezzanine, he felt that the one-story building would be acceptable to the school's student body and faculty.

Mr. Tatarian recommended that Condition No. 5 of the draft resolution be changed to indicate that the roof of the cafeteria should not exceed an "elevation" of 112 feet rather than a "height" of 112 feet. Mr. Steele agreed to this change.

Mr. Ertola stated that he appreciated the problems which were being faced by the City Planning Commission in trying to untangle the history of the Art Institute project. However, he suggested that consideration should be given to the desirability of requiring the addition of the 17 parking spaces specified in Condition No. 2 of the draft resolution at the present time since parking is a serious problem in the subject neighborhood and since some of the Art Institute's parking spaces have been deleted. Furthermore, he stated that he would regret having a new cafeteria constructed on the Art Institute's site, especially since an adequate cafeteria facility already exists; however, if the cafeteria were to be built, he hoped that the Art Institute would demonstrate its good faith by lowering the height of the smoke stack to conform with the new roof line.

Vice President Porter asked if Mr. Ertola felt that provision of 17 additional parking spaces on the site would make any significant difference to the neighborhood. She noted that this matter had been discussed previously by the Commission during its hearings in 1966; and, at that time, the Commission had decided that maintenance of greenery and open space on the site would be more desirable than provision of a few extra parking spaces.

Mr. Ertola replied that he was of the opinion that both objectives would be capable of achievement.

Mr. Sontheimer asked if the elevation of 112 feet indicated in Condition No. 5 of the draft resolution would be all inclusive. The Director replied in the affirmative.

Mr. Sontheimer stated that he appreciated greenery; however, he felt that provision of 17 additional parking spaces would be of some benefit to the neighborhood.

In conclusion, Mr. Sontheimer asked for a more graphic description of what would be allowed under the 112 foot elevation limit. Both Mr. Steele and Mr. Clay outlined the one-story cafeteria building on the plans. Mr. Clay submitted a separate sketch of the cafeteria building for the Department's records.

Vice President Porter asked about the actual height of the one-story cafeteria building. Mr. Clay replied that the building would have an exterior height of 15 feet 6 inches.

Mr. Sontheimer asked if the height of 15 feet 6 inches would raise the cafeteria building above the 40 foot height limit. The Director replied in the negative.

Subsequently, Mr. Sontheimer asked if smoke stacks, elevator shafts, or other appurtenances would project above the roof line of the cafeteria. Mr. Clay replied that only the outside smoke stack previously discussed by the Commission would exceed the height of the cafeteria building.

Commissioner Fleishhacker felt that Condition No. 2 of the draft resolution was much to vague. Mr. Steele stated that a similar condition had been contained in the resolution adopted by the Commission in December, 1966; and he indicated that plans had been submitted at that time to show how the 17 parking spaces would be provided if they were to be required by the Commission.

In reply to further questions raised by Commissioner Fleishhacker, the Director stated that the Commission would have sufficient authority to require that these parking spaces be provided in the future if it should become obvious that they are needed.

Commissioner Fleishhacker felt that it would be desirable to obtain an agreement from the Art Institute that the proposed smoke stack would not exceed an elevation of 112 feet unless any of the applicable city codes require that the stack should rise higher.

The Director stated that the staff of the Department of City Planning had regarded the smoke stack as an item which had been approved; however, if the Commission so desired, a condition could be added to the draft resolution requiring that the stack be lowered if possible. Commissioner Newman agreed with Commissioner Fleishhacker that such a condition would be desirable.

Vice President Porter felt that the staff of the Department of City Planning had been more than generous in trying to solve the problems of the Art Institute; however, she felt that the problems faced by residents of the neighborhood should be given some consideration, also. She pointed out that adoption of the draft resolution recommended by the Director would authorize the Art Institute to expand its original proposal by adding a cafeteria, additional gallery space, and a 90 seat meeting hall; and she noted that all of these facilities would add to

the over-all density of the project. Under the circumstances, she felt that the Art Institute should be willing to make a concession by agreeing to lower the height of the parapet wall. She stated that the present height of the parapet wall does damage views from many adjacent properties; and she felt that the wall is not needed by the Art Institute. Therefore, it seemed that removal of the parapet wall would be a most constructive thing to do now and for the future.

Mr. McKeever stated that the height of the parapet wall had been discussed when he had met privately with Mr. Ertola. He indicated that the parapet wall acts as a beam and ties together various stresses in the building; and, consequently, it could not be removed in its entirety. However, even though it would cost the Art Institute approximately $10,000, it would be possible to lower the parapet wall by approximately 1 foot.

Vice President Porter felt that the Art Institute should be willing to make that sacrifice in view of the additional density which would be allowed on the site if the draft resolution were adopted. In fact, it seemed to her that the Art Institute should be able to lower the wall by more than 1 foot.

Mr. Clay explained that the parapet wall would support the roof structure of the building; and, after reviewing the situation, he had found that he could lower the parapet wall no more than 1 foot 6 inches while still maintaining the necessary heights beneath.

Vice President Porter asked if Mr. Ertola felt that lowering of the parapet wall by 1 foot 6 inches would be an improvement so far as residents of the neighborhood were concerned. Mr. Ertola believed that such a reduction of the parapet wall would benefit property owners along Leavenworth Street; however, he repeated that he was representing only his own interest in the property which lies adjacent to the Art Institute and which would not be affected by a change in the height of the parapet wall.

Vice President Porter asked Mr. McKeever if he would agree to lower the parapet wall by 1 foot 6 inches. Mr. McKeever imagined that such an agreement could be obtained since he was at the mercy of the Commission.

Vice President Porter asked if it would be possible for the Commission to add another condition to the draft resolution requiring that the parapet wall be lowered by 1 foot 6 inches. The Director stated that such a condition could be added to the draft resolution if the Commission so desired.

Following further discussion with the Director, Vice President Porter stated that the Director did not support her suggestion that such a condition be added because a building permit application had already been issued for the parapet wall. However, since the draft resolution would grant additional privileges to the Art Institute, she hoped that the Art Institute would be willing to lower the parapet wall even though such an action on their part would not be mandatory.

Mr. McKeever stated that he had no authority to make such a commitment without discussing the matter with the Board of Directors of the Art Institute since it was obvious that reduction of the height of the wall would cost a considerable amount of money.

Vice President Porter stated that the Commission had visited houses on Leavenworth Street earlier in the afternoon; and, as a result of those visits, it had become apparent that lowering of the parapet wall would be desirable. If the Art Institute or its architects had worked more closely with the residents of the neighborhood, it was possible that this problem could have been avoided. However, since the wall had been built, she hoped that the Art Institute would act favorably on her request that every effort be made to lower the wall as much as possible.

After further discussion, it was moved by Commissioner Fleishhacker and seconded by Commissioner Newman that the draft resolution be amended by addition of a sixth condition to read as follows: "That the stack adjacent to the cafeteria as shown in 'CU68.20, Exhibit A' shall not exceed the elevation of 112 feet plus the minimum additional height required by the building code."

When the question was called, the Commission voted 5 to 1 to amend the draft resolution by addition of this condition. Commissioners Elliott, Fleishhacker, Kearney, Newman and Wight voted Aye; Commissioner Porter voted No.

Subsequently, it was moved by Commissioner Elliott and seconded by Commissioner Newman that a seventh condition be added to the draft resolution reading as follows: "That the parapet wall to the gallery as shown in 'CU68.20, Exhibit A' shall be lowered by 1 foot 6 inches."

Commissioner Fleishhacker remarked that the Commission had no knowledge of the actual cost which would be involved in fulfilling this condition; furthermore, the parapet wall had already been approved by the City Planning Commission and by the Bureau of Building Inspection. Under the circumstances, he felt that such a condition should not be included in the draft resolution.

When the question was called, Commissioners Elliott, Newman, and Porter voted Aye; Commissioners Fleishhacker, Kearney, and Wight voted No. As provided in Article 4, Section 6 of the rules and regulations of the City Planning Commission governing tie votes, the motion was therefore disapproved.

After further discussion, it was moved by Commissioner Newman, seconded by Commissioner Kearney, and carried 5 to 1 that Resolution No. 6255 be adopted and that Application No. CU68.20 be approved in part subject to the conditions contained in the draft resolution as modified.

The meeting was adjourned at 5:15 P.M.

Respectfully submitted,

Lynn E. Pio
Secretary

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[illegible]

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SAN FRANCISCO

CITY PLANNING COMMISSION

Minutes of the regular meeting held Thursday, August 29, 1968.

The City Planning Commission met pursuant to notice on Thursday, August 29, 1968, at 1:00 P.M. in the meeting room at 100 Larkin Street.

PRESENT: William M. Brinton, President; Mrs. Charles B. Porter, Vice President; Mortimer Fleishhacker, Jr., James S. Kearney Walter S. Newman, and Walter W. Wight, members of the City Planning Commission.

ABSENT: Thomas J. Mellon

The staff of the Department of City Planning was represented by Allan B. Jacobs, Director of Planning; Dean Macris, Assistant Director-Plans and Programs; R. Spencer Steele, Assistant Director-Implementation; Phoebe H. Brown, Planner IV; Ralph Mead, Planner IV-Zoning; Marie Carlberg, Planner III; Joseph Fitzpatrick, Planner III; Kenneth Barr, Planner II; and Lynn E. Pio, Secretary.

Donald Canter represented the San Francisco Examiner; Ron Moskowitz represented the San Francisco Chronicle.

1:00 P.M. - Field Trip

Members of the Commission and staff departed from 100 Larkin Street at 1:00 P.M. to take a field trip to Burnett and Palo Alto Avenues and properties scheduled for consideration during the Commission's zoning hearing on September 5, 1968.

2:15 P.M. - 100 Larkin Street

APPROVAL OF MINUTES

It was moved by Commissioner Fleishhacker, seconded by Commissioner Porter, and carried unanimously that the minutes of the meeting of August 8, 1968, be approved as submitted. Commissioners Brinton and Wight abstained from voting.

CURRENT MATTERS

The Director reported that he will be prepared to report to the Commission within the next two weeks on the present status of the staff's previous recommendations on five local transit alternatives and the five alternatives for providing rapid transit service to the airport.

The Director advised the Commission that a meeting had been scheduled for that evening by the Mayor's office to discuss proposals for future use of the Wisconsin Street public housing site.

The Director submitted a draft resolution which would authorize him to execute a contract agreement with the State of California for the urban design study and urging the Board of Supervisors to approve that contract. After discussion, it was moved by Commissioner Porter, seconded by Commissioner Newman, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 6256.

Commissioner Porter asked why street tree planting along Lake Street had gone only as far as 24th Avenue instead of being carried another four blocks to the end of the street. The Director replied that he would find out the answer to Commissioner Porter's question and report on the situation at the Commissioner's next meeting.

President Brinton announced that Commissioner Elliott's absence had been occasioned by the fact that he had just become the father of a new baby girl.

REFERRAL

R67.37 Vacation of portions of Burnett and Palo Alto Avenues.

Marie Carlberg, Planner III, reported on this matter as follows:

"The northerly section of Burnett Avenue below Twin Peaks Boulevard has been improved along a new alignment which was developed by the Department of Public Works jointly with the Department of City Planning, as part of plans for the protection of city-owned greenbelt lands around Twin Peaks. The new alignment, opened to traffic in May, 1968, offers superb views of downtown and the entire panorama to the east. The cutting away of a substantial portion of the hill below the hairpin turn on Twin Peaks Boulevard to provide a bench for the new Burnett roadway opened up views of Mount Tamalpais and the Golden Gate. A small triangle of City-owned land, about 7600 square feet, between the old and new alignments, would make an excellent viewpoint.

The former alignment, lower on the slope, was never built because it disregarded the contours. This referral is concerned with the use to be made of the former alignment, which is 50 feet long, in itself a substantial amount of open space. An adjoining 100-foot unimproved section of Palo Alto Avenue below Twin Peaks Boulevard is also proposed for vacation.

The City owns all of the property uphill from the new alignment of Burnett Avenue from its junction with Twin Peaks Boulevard to the northerly boundary of Vista Francisco Subdivision No. 2, two-tenths of a mile to the south. Downhill, between the new and old alignments, are some small pieces of City-owned land and the Casitas Investment Company parcel, formerly City-owned, which was exchanged in 1967 for a strip of privately owned land below the crest of Twin Peaks Boulevard for view protection. Below the old alignment are private properties.

In the instances where the old alignment lies entirely between private properties, it should be vacated to the abutting owners; however, in most of the cases in which the old alignment lies between public and private property, it should be vacated to the City to become part of the Twin Peaks greenbelt lands, with the City acquiring all of the abutters' rights.

In one very critical location, use of the old alignment without vacation to provide access to the new alignment or vacation to the abutting owner would most probably result in buildings whole heights would restrict the views from the new alignment. In this case, City purchase of the abutters' rights to the old alignment would be the only means of preserving views from Burnett Avenue and distant views towards the open area above Burnett Avenue.

In two cases, the City should acquire inaccessible privately owned parcels.

The primary purpose of these recommendations is to preserve as public property the views which new Burnett Avenue has opened up. New Burnett Avenue has cost over half a million dollars of public money, with no assessment against any private owner. Not only should the public benefit from the improved traffic service, but also from the immeasurable values of the new.

Twin Peaks is one of the trademarks of San Francisco. The City owns only the uppermost reaches of the peaks; in the past decade and a half most of the privately owned lower slopes have been developed residentially. Historically most of public lands were acquired for reservoir purposes and have been under the jurisdiction of the Fire or Water Departments. Now the lands not actually required for reservoir purposes should be transferred to the Recreation and Park Department for permanent protection as greenbelt lands.

Old Burnett has been an effective part of the Twin Peaks open space. New Burnett was developed on public property. Vacation of the old alignment to private owners would result in a net loss of open space.

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However, because the old alignment was street-of-way, it can not be vacated without one set of abutting owners -- the private owners on the one side or the city on the other -- quitclaiming their abutters' rights to the other. Vacation of these rights to the private owners would bring the amount of apartment building higher up the slope on the eastern side of Twin Peaks; vacation to the City would keep the fine views available to the general public and prevent some questionable building on potentially hazardous slopes. It is a choice between public views or private views; between more or less public land on Twin Peaks; between protection of a public investment or the furtherance of private investment.

The recommendations given in this memorandum are in accord with the Land Use Section of the Master Plan, which shows the area in question as an open area, and with the Recreation Area and Park Location Plan, which shows it as part of a large park area and which also recommends that "Parkways, scenic routes of travel developed as elongated parks with a roadway limited to passenger-carrying vehicles and to which abutting property has no right of access, should be developed wherever possible to link together the various parks and view points throughout the city."

Subsequently, Miss Carlberg referred to a map posted on the wall of the meeting room to describe the actual distribution of the subject portions of Palo Alto and Burnett Avenues which was being recommended by the staff of the Department of City Planning.

The Director read from pages 2, 3 and 4 of the staff memorandum dated August 27, 1968, to clarify the precise way in which the staff was recommending that the various portions of the subject street areas be dispersed. In conclusion, he recommended that he be authorized to report that the transactions proposed by the staff are in conformity with the Master Plan.

Commissioner Porter asked if an estimate had been made of the cost of the property which the city would have to acquire to effectuate the staff's recommendation. The Director replied that it had been estimated that the initial cost to the city would be approximately $70,000.

Commissioner Fleishhacker asked if the possible vacation of Iron Alley and Copper Alley had been considered, also. Miss Carlberg replied that the vacation of those alleys would depend on the desires of the abutting property owners; and, therefore, they had not been included in the subject referral. She believed that Iron Alley could be used for a stairway at some future date; however, the cost of such a project had not been investigated.

President Brinton asked if the subject streets are owned in fee by the city. Wallace Wortman, representing the Real Estate Department, stated that the

records of his Department indicate that the streets are owned in fee by the city. However, this question could not be resolved until a title search is undertaken; and funds would not be available for a title search unless a policy is adopted by the city regarding the proposed vacation of the street areas.

The Director stated that the position of the staff of the Department of City Planning would be the same whether the city holds fee or easement title to the street since the purpose of the proposals being made by the staff would be to preserve views from and to the subject portion of Twin Peaks.

Mr. Wortman stated that the city would have to purchase the two private parcels of property outright and acquire abutter's rights to certain portions of the street area before any portion of the streets could be vacated; and he pointed out that the city would have to reach an agreement with the various property owners involved in order to acquire the properties and the necessary abutter's rights.

Mr. Killian, 417 Burnett Avenue, stated that he had already had to pay $6,300 for the improvement of Burnett Avenue; and, in spite of that expenditure, he still did not have access to the new street. He indicated that the city had permitted him to build his garage in the middle of the old alignment of Burnett Avenue and had proposed that access to the garage would be provided from a cul-de-sac; however, since that time, the decision had been made to proceed with the improvement of Burnett Avenue along a new alignment, thus eliminating the cul-de-sac.

The Director explained that the proposal of the staff of the Department of City Planning was that a portion of the right-of-way of the old alignment of Burnett Avenue be vacated to Mr. Killian so that he would have legal access to his property from the new street.

Mr. Killian stated that Mr. Woo of the Real Estate Office had advised him that he would have to pay for the property if it were to be vacated to him; and, in view of the fact that he has retired, he felt that he could not afford to spend any more money on this project.

Mr. Wortman advised Mr. Killian that he presently has legal access over the unimproved portion of the old alignment of Burnett Avenue and to the new thoroughfare; however, the proposal of the staff of the Department of City Planning would actually extend Mr. Killian's property to the new thoroughfare. If a satisfactory arrangement could be worked out for exchange of certain portions of his property lower on the hill, title to the property abutting the new alignment of Burnett Avenue might be transferred to him without cost; if the exchange could not be worked out, however, he would probably have to pay for the vacated street area.

Commissioner Fleishhacker stated that it did not appear to him that the proposal of the staff of the Department of City Planning would be detrimental to Mr. Killian. While the proposed disposition of the vacated portions of street area might not improve access from Burnett Avenue to Mr. Killian's garage, it would not make the situation any worse than at present.

Kathleen Dolen, owner of Lot 16 in Block 2719B, read and submitted a letter which she had addressed to the Commission. In the letter, Mrs. Dolen stated that she objected to the staff proposal because it would deprive her property of frontage along the new portion of Burnett Avenue. She indicated that she had waited approximately 25 years for the construction of this portion of Burnett Avenue so that her property could be utilized to its highest potential; and at no time had she ever been informed that her frontage along Burnett Avenue would be reduced or taken away. She indicated that the off-street parking provisions of the City Planning Code render difficult the construction of apartment buildings on sloping lots; and she felt that frontage along the new portion of Burnett Avenue would help them to overcome that problem. She stated that the Department of Public Works had written to her on September 5, 1967, stating that they were contemplating the sale of vacated portions of Burnett Avenue to abutting property owners; and, even though the Department of Public Works had indicated that her frontage on Burnett Avenue would probably be reduced from 146 feet to 75 feet, she still felt that solution would have been more equitable than the one proposed by the staff of the Department of City Planning. In any case, she pointed out that Burnett Avenue was not improved as a view area but as an egress route to accommodate the traffic from apartments which have already been built on Twin Peaks; and she felt that approval of the staff proposal, involving expenditure of public funds, would place an unnecessary burden on the taxpayers. In order to provide a view point or stopping area on Burnett Avenue, extensive and expensive fill would be required; and, while the value of such a view area would be questionable, it would definitely have a great detrimental effect on her property. In conclusion, she asked that the Commission disapprove the staff recommendation.

Albert Meakin spoke in support of the staff's recommendation. He noted that Mrs. Dolen's property has access from Graystone Terrace; and, since Burnett Avenue was not constructed in the subject area until recently, he assumed that Graystone Terrace must have been regarded as the entrance to her property at the time that the property was purchased. He also remarked that Mrs. Dolen's property has access from Iron Alley. In conclusion, he stated that he was of the opinion that the proposal of the staff of the Department of City Planning would result in an arrangement which would benefit the entire city.

Robert Phelan, representing the Twin Peaks Improvement Association, stated that his organization was heartily in favor of the staff proposal; however, they hoped that further consideration would be given to the possibility of retaining the subject portion of Palo Alto Avenue for possible future use as a pedestrian pathway.

Mrs. Dolen asked if the Standard Building Company would be allowed to build along the new alignment of Burnett Avenue. The Director replied in the affirmative, pointing out that their property already abuts the new portion of

Burnett Avenue. In contrast, Mrs. Dolen's property would abut the new alignment of Burnett Avenue only if the entire right-of-way of the old alignment were to be vacated and added to her property.

Mrs. Dolen stated that she had been advised that she does have access rights to Burnett Avenue. The Director replied that the property owned by the Standard Building Company has no other means of access whereas Mrs. Dolen's property may be entered from Graystone Terrace. In any case, the recommendation of the staff was that portions of the old alignment of Burnett Avenue should be vacated only in places where properties on both sides of the street are in private ownership.

Miss Carlberg stated that Mrs. Dolen's desires were the direct opposite of the proposal made by the staff of the Department of City Planning. While the staff had proposed that the city purchase abutter's rights from Mrs. Dolen so that it could obtain ownership of the entire street area, Mrs. Dolen had hoped that she would be allowed to pay for the abutter's rights owned by the city so that she could gain title to the vacated portion of the old alignment of Burnett Avenue adjacent to her property. However, in order to gain access to the new alignment of Burnett Avenue, Mrs. Dolen would also have to purchase a portion of a parcel of property which is already owned by the city which lies between the old and new alignments of Burnett Avenue.

Commissioner Fleishhacker asked Mrs. Dolen if it would be possible for her to develop her property from Graystone Terrace. Mrs. Dolen replied that her property could not be developed to its maximum potential without access to Burnett Avenue.

After further discussion, it was moved by Commissioner Kearney, seconded by Commissioner Fleishhacker, and carried unanimously that the Director be authorized to report on this matter as follows:

> "Portions 1, 2, 3, 4, 5 and 6 of the old alignment of Burnett Avenue and Palo Alto Avenue which lie between privately owned properties should be vacated to the abutting private owners.
>
> The City should acquire two privately owned parcels, Lot 17 in Block 2719B and Lot 36 in Block 2745, so that the subsequent vacation of the unimproved and unimprovable abutting portions 7 and 10 of Burnett Avenue to the City will not deprive property of street access.
>
> Portions 7, 8, 9, 10 and 11 of the old alignment which lie between privately-owned property and City-owned property or new Burnett Avenue should be vacated to the City after purchase of the abutters' rights, and merged with the City's Twin Peaks lands along with Lot 17, Block 2719B and Lot 36, Block 2745, and ultimately transferred from the jurisdiction of the Fire Department to the jurisdiction of the Recreation and Park Department.

Portion 12 of the old alignment adjacent to Lots 38, 39 and 40 in Block 2745 should be vacated to the abutting owners."

At 3:15 P.M. President Brinton announced that the meeting was recessed. Members of the Commission then proceeded to Room 282, City Hall, and reconvened at 3:30 P.M. for hearing of the remainder of the agenda.

3:30 P.M. - Room 282, City Hall

PRESENTATION OF SOUTH BAYSHORE STUDY AND PROPOSED PLAN.

Allan B. Jacobs, Director of Planning, described the proposed development plan and program which had been prepared by the staff of the Department of City Planning for the South Bayshore area. During the course of his presentation, he emphasized that the proposals which had been formulated by the Department of City Planning were separate from proposals which were being made for a Model Cities Program in this same area, but noted that should there be such a program the plan could easily provide a framework for any Model Cities activities to be carried out within.

Phoebe H. Brown, Planner IV, referred to a chart on the wall of the meeting room which reflected the staff's recommendation for effectuation of the proposed plan in three stages. As proposed, Stage 1 of the effectuation program would take place from 1968 to 1970; Stage 2 would be undertaken from 1972 to 1976; and Stage 3 would extend from 1976 through 1985. Subsequently, she described in detail the steps which should be taken during the first stage of the effectuation program.

The Director asked the Commission to take two actions, as follows:

1. To authorize him to prepare and to distribute a report on the proposed South Bayshore Plan and;

2. To authorize him to recommend the schematic plans for the South Basin Candlestick Cove portion of the study area to the Board of Supervisors.

Arthur Paulson, 1650 Portola Drive, advised the Commission that he owns two blocks of tidelands property in the vicinity of Candlestick Cove. He felt that the proposals of the staff of the Department of City Planning were dramatic: however, he believed that the public would be unwilling to approve bond issues for projects of the sort which were being proposed. Therefore, he believed that the City should not reverse its previous policy of setting the tideland properties aside for use as an industrial park under the program of the reclamation district. If his property could not be used for industrial development, he assumed that he would have to continue paying taxes on the property

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for at least twenty years before the City would be able to buy it from him; and, in order to avoid that situation, he hoped that he would be able to dispose of the property immediately if a decision were to be made that it could not be used for industrial purposes.

In response to a question raised by Commissioner Fleishhacker as to the value of his property, Mr. Paulsom stated that he owns 240,000 square feet of property which has a market value of $.40 per square foot. He indicated, however, that he would be willing to sell the property for $.30 a square foot.

The Director stated that this matter had been brought before the Board of Supervisors as part of a fill application pending before the Bay Conservation and Development Commission; and, at that time, the Board of Supervisors had directed the Department of City Planning to pursue their studies of alternate uses for the area. If the proposals of the staff of the Department of City Planning were to materialize, the property owners would have to be compensated. More importantly, however, the interest of the City as a whole would be benefited by preserving this last sizeable area of the City's shoreline for public purposes; and he felt that it would be shameful for the Commission to aim for anything less. Under the circumstances he felt that it was extremely important that the Commission authorize him to recommend the staff's schematic plans for the Candlestick Cove-South Basin area to the Board of Supervisors as soon as possible.

Eugene L. Sembler, Chief Harbor Engineer for the Port Authority, advised the Commission that the staff study had ignored the Port Authority's master plan which was based on the expert economic advice of the firm of Arthur D. Little Inc., consultants to both Port Authority and the City Planning Commission. He indicated that the Arthur D. Little report had stressed the economic importance of the Port which employs 23,000 people; and it had recommended that the port could remain active only if it were to provide new and more modern facilities. After receiving the report from Arthur D. Little, the Port Authority had adopted a master plan for development of new facilities; however, if the City Planning Commission were to adopt the plan for the India Basin area recommended by its staff, it would be impractical for the Port Authority to proceed with its proposed developments.

Mr. Sembler stated that the Arthur D. Little report had specified that 12 new berths should be provided for the Port; and, in order to provide these berths, it would be necessary for the Port Authority to utilize a portion of the India Basin area. This matter had been discussed with the staff of the Department of City Planning; and, following their recommendation that as much space be left open as possible in this area, the Port Authority had reduced the number of berths proposed from 12 to 9. However, the plan now proposed by the staff of the Department of City Planning would require the elimination of 2 or 3 berths in the India Basin area. Mr. Sembler stated that the Port Authority was trying to create a good economy for the subject neighborhood and for the city; and

he hoped that the City Planning Commission would recognize and appreciate this fact. He indicated that the Port Authority had already filed an application for a permit to fill portions of the India Basin area; and he hoped that the Commission would modify the recommendations of the staff of the Department of City Planning to permit the Port Authority to proceed with the developments proposed in their master plan.

Commissioner Kearney asked how much back-up space would be required for each of the berths proposed to be constructed by the Port Authority. Mr. Sembler replied that a minimum of 20 acres of back-up space would be needed for each berth.

Commissioner Fleishhacker asked about the timing of the project proposed by the Port. Mr. Sembler replied that the Port Authority would be prepared to start filling operations as soon as their application is approved by the Bay Conservation and Development Commission; and he expected that the filling operations would be completed in approximately 3 years.

Fred Brown, Community Coordinator for the Bayview-Hunters Point branch of the NAACP, submitted and described a proposal which he had formulated for utilization of the parking lots at Candlestick Park for commuter parking. The project would involve construction of a new freeway interchange in the vicinity of Blanken Street and provision of express bus service from Candlestick Park to downtown San Francisco; and, in addition to relieving parking congestion in the downtown area, the proposal would create a new industry in the South Bayshore area which could employ residents of the neighborhood in apprentice programs as mechanics and service station attendants. In order to attain the objective which he proposed, certain problems would have to be overcome including construction of the new freeway interchange, suspension of daytime baseball games at Candlestick Park, and objections which might be raised by people living in the vicinity; however, he felt that solutions to these problems would be feasible. He indicated that he had discussed his proposal with the Director of Planning who had advised him that the proposal would not be inconsistent with the proposals of the staff of the Department of City Planning. In conclusion, Mr. Brown emphasized that residents of the study area were anxious to have a high school, not a junior high school, to be located somewhere on the east side of Third Street.

Commissioner Kearney remarked that suspension of daytime ball games at Candlestick Park might be a difficult thing to achieve. Mr. Brown replied that other cities have dispensed with daytime ball games on Mondays through Fridays; and he felt that the Giants would be willing to do the same if the stadium at Candlestick Park could be modernized. He estimated that it would cost between $15,000,000 and $17,000,000 to modernize Candlestick Park Stadium; and he felt that such an expenditure of funds would be more sensible than spending funds to construct a new stadium downtown which would probably cost us as much as $250,000,000.

Willie Thompson, Executive Director of the Bayview-Hunters Point Development Corporation, stated that he viewed effective citizen participation as something more than attending meetings to discuss plans; and he felt that some adequate provision or assurance should be given that residents of the neighborhood could have economic involvement in carrying out the plan which had been proposed by the staff of the Department of City Planning. Residents of the area should be permitted to own a portion of the land which would be redeveloped; and they should also own a share in the companies which would actually execute the developments. He hoped that the Commission would consider this problem and make reference to it whenever action is taken on the recommendations of the staff. If such a form of participation could not be achieved through the plan proposed by the Department of City Planning, he hoped that it could be achieved under the Model Cities Program; and, in any case, he felt that it was imperative that any action taken by the Commission should not preclude possible plan changes in the future if a Model Cities Program for the area were to be approved.

The Director re-emphasized that the planning which had been done by the staff of the Department of City Planning had not been based upon a Model Cities project; and the improvements which were being proposed could be scheduled outside of the Model Cities framework. However, if a Model Cities Program for the area were to be approved by the Board of Supervisors, the plan which had been prepared by the staff of the Department of City Planning would serve as a good framework for any further physical planning which might be undertaken. In fact, he assumed that one of the effects of the Model Cities Program would be to compact the long-range and short-range implementation schedule which had been described by Miss Brown.

Mr. Brown asked if the staff's land use proposals could be modified at a later date, also. The Director replied in the affirmative.

Mr. Brown stated that he felt that some definite provision should be made for future alterations of the plan by the staff of the Department of City Planning.

The Director replied that proposals for modification of the plan would have to come before the Commission in the form of requests for zone changes, referrals, etc. With regard to the suggestion made by Mr. Thompson to the effect that a policy decision should be taken by the Commission favoring economic participation of residents of the neighborhood in the carrying out of the plan, he stated that he would be willing to recommend that this type of participation be encouraged to the maximum extent possible. However, he felt that it should be clearly understood that the role of the Commission in making this sort of thing happen would be severly limited.

President Brinton assured Mr. Brown that nothing would prevent the Commission from altering the plan presently proposed if better proposals should materialize in the future.

Reuel Brady, representing the Bret Harte Improvement Association, expressed his appreciation to the Director of Planning and his staff for the

attention which they had focused on the South Bayshore area; and he was pleased that residents of the neighborhood had been encouraged to sit down together to consider what might be done to improve their neighborhood. With regard to the comments made by Mr. Sembler, he agreed that the role played by the Port Authority in providing jobs is important; but he felt that providing access to the water for residents of the area would be of much greater importance than the two additional piers which were proposed by the Port Authority. Therefore, he urged the Commission to support its staff and to encourage development of the India Basin area for the good of the people living in the neighborhood. In conclusion, Mr. Brady noted that 2,300 units of new housing are being constructed in Hunters Point; and he felt that the Commission should be concerned about providing adequate recreational facilities for the people who will be living in those dwelling units.

The Director stated that possibly three months would be required for the actual publication of the South Bayshore Plan. During that time, further consideration could be given to the proposals of the staff by the residents of the subject neighborhood. Subsequently, all comments on the proposals would be received by and reviewed by the Commission. During this process, the staff of the Department of City Planning would try to remain completely objective regarding any comments or suggestions received.

Commissioner Kearney asked if it would not be possible to redraw the plans for the India Basin area to accommodate the objectives of the Port Authority as well as the objectives of the staff of the Department of City Planning.

President Brinton felt that the Commission could take the two actions recommended by the Director of Planning without prejudice to the interests of the Port. If the staff were authorized to proceed with publication of the plan, work could at least be initiated on other aspects of the report pending resolution of the problem raised by Mr. Sembler.

Commissioner Porter stated that the Planning Commission has always tried to work in cooperation with the Port Authority, recognizing that it is in the best interest of the city to have a large and vital port operation. She asked if the location of the proposed new bridge from the East Bay to India Basin had been definitely established. The Director replied in the affirmative and indicated that the actual location of the bridge would not effect the problem cited by Mr. Sembler.

Commissioner Porter remarked that the plan proposed by the staff of the Department of City Planning would lose a great deal of its effectiveness if it were opposed by the Port Authority. Under the circumstances, she wondered if the staff of the Department of City Planning and Port Authority had made a diligent effort to reach a compromise which would be acceptable from both points of view.

The Director stated that the problem raised by Mr. Sembler had been a point of issue for quite some time; and he indicated that the matter had been

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The Director stated that possibly three months would be required for the [illegible] of the [illegible] Board. During that time, further consideration could be given to the proposal of the Board by the staff of the [illegible] project [illegible]. [illegible] in the proposals [illegible] by the Committee. [illegible] the proposal, [illegible] the Department of [illegible] working [illegible] completely [illegible] by comments or suggestions received.

Commissioner Kennedy stated [illegible] possible [illegible] for the Main Main area to accommodate the [illegible] of the Port Authority as well as the objectives of a shift [illegible] of the Port Authority.

Discussion followed [illegible] the [illegible] and the [illegible] of the [illegible] of Planning [illegible] to the [illegible] of [illegible]. [illegible] authorization [illegible] of the plan [illegible] be left to initiative of other [illegible] [illegible] meeting reconsideration of the problem raised by Mr. Benjamin.

Commissioner Porter stated that the Planning Commission has always tried [illegible] to cooperate with the Port Authority, recognizing that it is in the [illegible] interest of the city to have a large and vital port operation. He stated [illegible] location of the [illegible] [illegible] the Port Authority to Linden Airport [illegible] alternative and [illegible] [illegible] the problem called to [illegible].

Commissioner Porter recommended that the plan proposed by the staff of the [illegible] of the Port Authority [illegible] be adopted by the Board as the alternative of [illegible] [illegible] by the Port Authority. Under the circumstances, he would not [illegible] the Department of the Planning Commission [illegible] Authority had made a [illegible] [illegible] to reach a [illegible] [illegible] from which points of view.

The Director stated that the problem called by Mr. Benjamin had been a [illegible] of issue for quite some time, and he [illegible] that the matter had been

discussed with the staff of the Port Authority. In preparing its recommendation for the Commission, the staff of the Department of City Planning had been mindful of many values, including those described by both Mr. Sembler and Mr. Brady; and, in addition, the staff had recognized that actions could be taken by the Naval Reservation to further close the water entrance to India Basin. Although the recommendations which had been given to the Commission represented the best thinking of the staff to date, he would be willing to meet further with the Port Authority to discuss the problem. However, he asked the Commission to authorize him to begin preparing the proposed plan for publication during the present meeting.

Commissioner Newman asked if the Port Authority could recommend any alternatives which might be acceptable to all parties involved. Mr. Sembler replied that he was not able to recommend any satisfactory alternatives to the problem. He acknowledged that the proposed port facilities could be extended eastward into the water; however, he felt that such an arrangement would not be economically feasible. He emphasized that the original plans proposed by the Port Authority had extended their project to the south; however, because of the concern expressed by the staff of the Department of City Planning, those plans had been revised to remove three piers and to move the entire project northward. He believed that the project proposed by the Port Authority would not restrict access to the water in the India Basin area or obstruct views; and he pointed out that other areas of the city, notably Telegraph Hill, have expressed a desire that shipping operations in their areas not be discontinued.

The Director stated that the Port Authority's application for fill would be reviewed by the Bay Conservation and Development Commission on September 20; and, since the Commission would probably be requested to comment on that application, he felt that it might be desirable for the Commission to schedule a detailed presentation of the Port Authority's proposal during the Commission's regular meeting on September 12. During the interim, he would meet with representatives of the Port Authority to see if any agreement could be reached with regard to alternate schemes for development of the India Basin area.

Commissioner Porter asked if it was likely that the "Riviera" proposed by the staff of the Department of City Planning at India Basin would be constructed if the issue with the Port Authority could be resolved. The Director replied that he did not know the answer to Commissioner Porter's question. In any case, he felt that use of the term "Riviera" to describe the proposal of the staff was unfortunate, particularly since the area is already used extensively by the people in the neighborhood who would be willing to settle for a lot less than the plan which was being proposed.

President Brinton felt that it would be advisable for the Commission to defer action on the recommendations of the Director until the Port Authority has had an opportunity to make its presentation on September 12.

Commissioner Fleishhacker stated that he would be willing to authorize the staff to proceed as recommended by the Director subject to possible amendment of the proposals concerning the India Basin area. He also asked that the staff give consideration to the desirability of proposing a new name for Third Street, the most important thoroughfare in the South Bayshore area. He felt that a name such as "Opportunity Boulevard" would be more appropriate.

Mr. Brown asked if the staff of the Department of City Planning would also be willing to obtain more information about the Navy's plans for expanding northward from Hunters Point.

After further discussion it was moved by Commissioner Kearney and seconded by Commissioner Fleishhacker that the Director be authorized to proceed with his preparations for publication of all aspects of the plan with the exception of the India Basin area.

Commissioner Newman moved that the motion before the Commission be amended with the following language:

"The City Planning Commission also requests that the implementation of this plan, as well as more detailed planning for the South Bayshore study area, be undertaken with maximum possible participation of residents of the area and that participation by local residents in the physical, economic and social development and benefits of the community be supported and encouraged."

This motion was seconded by Commissioner Kearney and carried unanimously.

When the question was called on the main motion as amended, the Commission voted unanimously in favor of it.

Subsequently, it was moved by Commissioner Kearney, seconded by Commissioner Newman, and carried unanimously that the Director also be authorized to recommend the Board of Supervisors the schematic plans which have been prepared for the Candlestick Cove and South Basin area.

The meeting was adjourned at 5:30 P.M.

Respectfully submitted,

Lynn E. Pio
Secretary

SAN FRANCISCO

CITY PLANNING COMMISSION

Minutes of the regular meeting held Thursday, September 5, 1968.

The City Planning Commission met pursuant to notice on Thursday, September 5, 1968, at 1:00 P.M. in the meeting room at 100 Larkin Street.

PRESENT: William M. Brinton, President; Mrs. Charles B. Porter, Vice President; Mortimer Fleishhacker, Jr., James S. Kearney, Walter S. Newman, and Walter W. Wight, members of the City Planning Commission.

ABSENT: Thomas J. Mellon.

The staff of the Department of City Planning was represented by Allan B. Jacobs, Director of Planning; R. Spencer Steele, Assistant Director-Implementation; Robert Passmore, Assistant Zoning Administrator; Wayne Rieke, Planner IV-Zoning; Ruth Jaffe, Planner IV; Peter Svirsky, Planner IV-Zoning; Robert Frank, Planner II-Zoning; and Lynn E. Pio, Secretary.

Jack Viets represented the San Francisco Chronicle; Donald Canter represented the San Francisco Examiner.

APPROVAL OF MINUTES

It was moved by Commissioner Newman, seconded by Commissioner Porter, and carried unanimously that the minutes of the meetings of May 2, and August 15, 1968, be approved as submitted.

CURRENT MATTERS

The Director reported that the corner premium amendment to the Downtown Zoning Ordinance, previously disapproved by the City Planning Commission, had been approved by the Board of Supervisors on Monday. The amendment will permit the 20 per cent corner premium to be used in the downtown office district in lieu of the amenity bonuses which were a part of the Commission's ordinance.

The Director recommended adoption of a draft resolution by which the Commission would endorse and favorably recommend to the voters of San Francisco the proposed addition of Section 69.2 to the Charter authorizing Municipal Improvement Bonds. After discussion, it was moved by Commissioner Porter, seconded by Commissioner Newman, and carried unanimously that this draft resolution be adopted as City Planning Commission Resolution No. 6257.

Subsequently, the Director submitted a draft resolution by which the City Planning Commission would endorse and favorably recommend to the voters of San Francisco both the Charter amendment and the assumption of bonded indebtedness appearing on the November 5, 1968, ballot whereby the transfer of the Port of San Francisco from State to City jurisdiction would be effected. After discussion, it was moved by Commissioner Porter, seconded by Commissioner Newman, and carried unanimously that this draft resolution be adopted as City Planning Commission Resolution No. 6258.

After discussion, it was moved by Commissioner Porter, seconded by Commissioner Newman, and carried unanimously that Resolution No. 6260 be adopted authorizing Allan B. Jacobs, Director of Planning, to attend the 1968 Conference of the American Institute of Planners to be held in Pittsburgh, Pennsylvania, from October 12, 1968,to October 15, 1968, inclusive.

PRESENTATION OF CONSULTANT'S FINAL PLANS FOR 16TH AND 24TH STREET TRANSIT STATION AREAS ON MISSION STREET.

Donald Head and Tom Aidala, representing Urban Design Associates, Inc. presented and described their final plans for the 16th and 24th Street transit station areas on Mission Street. The plans will be summarized in a printed report which will soon be available in the files of the Department of City Planning.

Commissioner Kearney congratulated the consultants on the work which they had done. He noted, however, that the palm trees which would provide the basic motif for the street were pictured as the tall variety of palm which is typical of Los Angeles; and he wondered if consideration had been given to using the type of palm trees which line Dolores Street. He felt that use of the shorter palm trees, which provide branches at eye level, might protect against a certain "thinness" which might result from use of the taller trees. Commissioner Kearney also suggested that an effort should be made to place benches at convenient points along Mission Street to accommodate women shoppers and senior citizens; and he believed that fountains or some form of moving water should be provided in the plaza areas. In conclusion, he suggested that the Commission might wish to consider the desirability of requesting the staff of the Department of City Planning to make recommendations for the setting up of a design review committee to review private developments proposed for Mission Street in the future.

Mr. Head explained that date palms of the variety growing on Dolores Street have very thick trunks which render them undesirable for use on streets with heavy pedestrian traffic. He stated that benches had been proposed at many locations; and he referred to plans posted on the wall to indicate the locations proposed for these benches. He agreed with Commissioner Kearney that fountains would be desirable in the plaza areas; and he suggested that provision of fountains might be a desirable objective for a merchants' improvement program. He noted that all of the fountains and sculpture in the Fresno Mall had been provided by the merchants.

Commissioner Newman felt that the importance of adequate lighting could not be over-emphasized, particularly in view of the trend toward night-time shopping. He also asked what paving would be used in the plaza areas.

Mr. Head replied that he was hopeful that shop owners along Mission Street could be persuaded to keep their shop lights on until 10:00 P.M. to provide adequate lighting. He stated that the plaza areas would be paved by BART; however, attempts were being made to coordinate the materials to be used in the process with the materials which would be used for the sidewalks.

Commissioner Newman asked for an estimate of the cost of implementing the sidewalk reconstruction program proposed by the consultants. Mr. Head replied that it would cost between $250,000 and $300,000 to resurface the sidewalks in the vicinity of the plazas as proposed; however, a great deal more money would be required to resurface the sidewalks in the blocks between the two rapid transit stations on Mission Street. In reply to a further question raised by Commissioner Newman, Mr. Head stated that the cost estimate which he had given had been based on the assumption that 50 per cent to two-thirds of the cost of resurfacing the sidewalks in the station areas would be borne by BART; if the project were to be paid for solely by the city, the expense would be much greater.

Commissioner Newman noted that BART had proposed the construction of walls along the sides of the plazas abutting the private property; and he asked if there were any indication that BART would be willing to remove the walls if the private property owners wished to take advantage of their plaza frontage in an effective and attractive way. Mr. Head replied that discussions had been held with BART regarding plans proposed by two adjacent property owners at 16th Street; however, no commitment had yet been obtained from BART for removal of the walls.

Commissioner Porter commented on the fact that the Department of City Planning and the Department of Public Works had different opinions with respect to the number of traffic lanes which should be provided on Mission Street when it is reconstructed; and, since a great deal of the success of the reconstruction project would depend upon the cooperation of BART, she felt that it would be desirable if the two city departments which were most involved could reach an early agreement on a plan for reconstruction of the street which could then be coordinated with BART's activities.

The Director stated that he had purposely not asked the Commission to take any action on the consultant's proposals during the present meeting. He noted that the proposals being made by the consultants were their own; and he indicated that those proposals would now be reviewed thoroughly by the staff of the Department of City Planning. Subsequently, he would make recommendations on specific aspects of the plans to the Commission; and those formal recommendations of the Commission could then be forwarded to the Department of Public Works for consideration.

Commissioner Kearney asked if the Board of Supervisors would make the final decision regarding the width of sidewalks on Mission Street. The Director replied in the affirmative.

After further discussion, it was moved by Commissioner Porter, seconded by Commissioner Kearney, and carried unanimously that the consultant report be accepted as an indication of satisfactory completion of the consultant's contract.

At this point in the proceedings, Commissioner Fleishhacker arrived and assumed his seat at the Commission table.

REVIEW OF FINAL DESIGN PLANS FOR SPROULE LANE HOTEL

R. Spencer Steele, Assistant Director-Implementation, noted that Resolution No. 6250, adopted by the Planning Commission on August 8, 1968, had required review of final plans for the subject hotel by the Commission prior to their submission to the Central Permit Bureau. Mr. Steele described the plans which had been submitted, noting that the cocktail bar previously shown on the first floor had been changed to a private dining room.

Commissioner Porter asked if the applicants were proposing to move the hotel further north on their property. Mr. Steele replied that the hotel had been moved northward since the proposal was first considered by the Commission; however, the final plans now under review were identical with the plans approved by the Commission on August 8, 1968, insofar as the 20 foot setback from Sacramento Street was concerned.

Commissioner Porter felt that the exact location of the hotel on the subject site might make a great deal of difference from the point of view of the people living in the Nob Hill Apartments. Mr. Steele replied that he was of the opinion that the setback from Sacramento Street would improve the situation from the living room areas of dwelling units in the Nob Hill Apartment Building.

Subsequently, in response to further questions raised by Commissioner Porter, Mr. Steele stated that the proposed hotel would consist of 26 rooms and 4 apartments, and that it would provide approximately 70 off-street parking spaces.

Commissioner Kearney inquired about the color of the exterior of the proposed building. Mr. Cavadias, representing the architectural firm of John Carl Warnecke and Associates, stated that the color of the building would match other buildings in the area.

Commissioner Porter asked if the applicants own additional property on Sproule Lane. Mr. Steele replied in the affirmative and pointed out that the additional property had not been included in the conditional use application for the subject hotel.

In response to a question raised by Commissioner Fleishhacker, Mr. Steele described the traffic pattern which would be followed by visitors to the hotel. He also specified that the official width of Sproule Lane was 35 feet while the pavement is only 21 feet wide.

Commissioner Fleishhacker asked if automobiles arriving at the Nob Hill Apartments are parked by attendants. Mrs. Bechtel, resident of the Nob Hill Apartments, replied that approximately one-third of the automobile using the apartment house garage are parked by attendants; and, in any, case, individuals parking their automobiles would be required to travel a great distance if Sproule Lane were converted into a one-way street. In conclusion, Mrs. Bechtel asked about the design of the top of the proposed hotel building.

Mr. Cavadias stated that the top of the building would consist of a mechanical penthouse which would be completely surrounded by apartments.

Stuart Kuhn, representing the owner of the Park Lane Apartment Building, asked when construction would begin on the proposed hotel and how traffic problems would be handled during the period of construction. Mr. Cavadias stated that ground breaking for the hotel is scheduled to take place in approximately three months; the building will be under construction for 16 months.

The Director stated that the Department of Public Works has responsibility for making decisions regarding the extent to which construction projects are allowed to interfere with vehicular traffic.

Mr. Kuhn asked if Ewer Place is a public right-of-way which the city must maintain. The Director replied in the affirmative.

After further discussion, the Director submitted a draft resolution recommending approval of the final plans for the hotel as submitted. Subsequently, it was moved by Commissioner Porter, seconded by Commissioner Kearney, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 6259.

At 2:50 P.M., President Brinton announced that the meeting was recessed. Members of the Commission then proceeded to Room 282, City Hall, where they were joined by Commissioner Wight, and reconvened at 3:00 P.M. for hearing of the remainder of the agenda.

PUBLIC HEARING OF PROPOSED AMENDMENTS TO THE DOWNTOWN ZONING ORDINANCE PERTAINING TO FLOOR AREA RATIOS, PARKING EXEMPTIONS, AND TRANSITIONAL HEIGHTS IN JACKSON SQUARE AND ADJACENT AREAS. (POSTPONED FROM MEETING OF JULY 11, 1968)

R. Spencer Steele, Assistant Director-Implementation, reported to the Commission on this matter as follows:

"Three changes were recommended by the Planning and Development Committee affecting properties in Jackson Square

and adjacent areas. All three would permit greater flexibility in the development and use of property in those areas, and the changes were recommended in partial response to the requests of property owners made at hearings of the Committee. The three changes are as follows:

a. Floor area ratio. In the C-2 district covering Jackson Square and adjacent areas, the floor area ratio is governed by the nearest R district: C-2 properties nearest to R-4 have a floor area ratio limit of 4.8:1, and those nearest to R-5 have a limit of 10.0:1. This leaves some C-2 properties quite close to the downtown (C-3) districts with a ratio of 4.8:1. The Committee recommended that properties nearer to a C-3 district (in this case, the C-3-O district) than to any R district have a ratio of 10.0:1. Such a change would make the system more rational in this specific situation in Jackson Square; in addition to this area it would affect two other small areas west of the Civic Center. In Jackson Square, of course, the height limit of 65 feet would still prevail whatever the floor area ratio allowed.

b. Off-street parking exemptions. In the special use districts covering Jackson Square and adjacent areas, the ordinance as adopted exempts all lots up to 10,000 square feet in area from off-street parking requirements for commercial buildings, recognizing the small scale of development, the desirability of retaining older buildings, the sidewalk and street congestion, and the fact that public parking facilities are being provided. This exemption would cover the great majority of lots in the area, and would tend to discourage mergers to form larger lots. The Committee report recommended increasing the exemption to cover all lots up to 20,000 square feet. This change would be nearly tantamount to removing parking requirements altogether in the area, permitting assembly and development at a considerable scale without parking.

If the size for exempted lots is to be increased at all, there are alternatives to the amendment proposed. One of these, which the staff recommends to you, would be to continue to exempt the first 10,000 square feet of lot area regardless of the size of the lot, charging the developer with a

parking requirement only in proportion to the amount by which his lot area exceeded 10,000 square feet.

c. Transitional height limits. Jackson Square, North Beach, and the east slope of Nob Hill have height limits of 65, 105, and 160 feet, and these limits are uniform throughout the areas covered. The Committee report recommends that the Planning Commission be empowered through conditional use procedures to allow greater heights along the edges of these districts, up to the height that applies just outside the district. Where there is no limit just outside the district, as along Washington Street next to the C-3-O district, the Commission could permit unlimited height. While this flexibility could be desirable in some instances, and could achieve some positive design objectives, it has been alleged that it could lead to abuse in practice, and that an amendment of this kind would simply be one step in a gradual loosening of height restrictions in these areas. The Telegraph Hill Dwellers have written to the Commission to indicate their opposition to the proposed parking and height limit changes."

Philip S. Ehrlich, attorney for 20 owners of property in the area between Washington Street and Broadway, stated that he would prefer to withhold his comments until the Director had made his recommendation if such a procedure would be allowable under the Commission's rules and regulations. President Brinton, noting that other people were present in the audience who might wish to speak on this matter, asked that Mr. Ehrlich proceed with his comments in advance of the Director's recommendation in accordance with the Commission's regular rules and procedures.

Mr. Ehrlich advised the Commission that his clients supported the three changes which were presently being considered. Subsequently, he read from the text of the proposed ordinance which would allow transitional heights along the edges of certain special height districts, pointing out that both by the text of the proposed ordinance and by the provisions of Section 304.3 of the City Planning Code the Commission would retain a great deal of control over any exemptions from the specific height limit applying in the transitional areas.

Mr. Ehrlich emphasized that many buildings in the neighborhood of areas proposed as transitional zones exceed the height limits in effect inside the special height districts; and, in any case, he felt that Washington Street should

serve as a natural boundary for the taller buildings which characterize downtown San Francisco. Since buildings of great height already exist in the general area, he felt that it would not be inappropriate for the Commission to be able to use its discretion to approve other buildings in the height districts with heights in excess of 65 feet; in fact, if the proposed ordinance were properly administered, he believed that the community would benefit from the more flexible planning which it would allow.

Mr. Ehrlich remarked that there is at present no "square" in Jackson Square; and, if the present 65 foot height limit were to continue in effect over the entire area, it seemed to him likely that private enterprise would not be able to provide any open space in the neighborhood. However, if transitional heights were to be approved, it might be possible to design buildings for the area which would provide some open space amenity. Furthermore, if taller buildings were to be allowed in the transitional area, he felt that it would not result in drastic alteration of the city skyline; and he submitted a photograph which he had taken to support this point.

Mr. Ehrlich stated that members of the staff of the Department of City Planning had admitted that the proposed transitional height areas would have some benefit; however, they seemed to believe that approval of the present proposal could serve as a wedge which would result in eventual destruction of Jackson Square. He indicated that he did not agree with that point of view; and he advised the Commission that none of his clients have indicated a desire to ask for relief from the 65 foot height limit at the present time. Under the circumstances, he felt that the "foot in the door" argument did not have much foundation.

Mr. Ehrlich subsequently addressed himself to the proposed amendment which will allow exemptions from off-street parking and loading requirements in the Jackson Square area. Under the present ordinance, if his clients chose to construct a building in excess of 10,000 square feet, they would be required to provide one parking space for every 500 square feet of commercial floor area. Thus, 40 per cent of any development exceeding 10,000 square feet would have to be devoted to parking; and, under the present 65-foot height limit, a building of six stories would have to reserve 2.4 stories for parking. Such buildings would probably be uneconomical; and, as a result, properties in the area would probably have to be used only for open parking lots. This sort of requirement, which would severly hinder development, seemed to his clients to be unfair particularly in view of the fact that the Chinese Cultural Center, which would be located directly across Washington Street from some of their properties, would be allowed to rise to a height of 30 stories with a maximum limit of 7 per cent of its floor area being used for parking. He noted that there is already a trend towards use of properties in the Jackson Square area for open parking lots; and he urged the Commission not to accelerate this trend by disapproving the proposed parking exemption amendment.

Mr. Ehrlich stated that he believed that there was little or no controversy concerning the proposed floor area ratio amendment; and, therefore, he deferred comment on that amendment pending an announcement of the Director's

recommendations. He also advised the Commission that some of his clients were present in the audience; however, he believed that they would be willing to defer any of their comments until the Director's recommendation had been made known.

At the request of President Brinton, the property owners who were being represented by Mr. Ehrlich stood and identified themselves.

Gerald Cauthen, President of the Telegraph Hill Dwellers, advised the Commission that the Board of Directors of his organization had voted unanimously to oppose any relaxation of the existing 65-foot height limit in Jackson Square. He noted that the northern boundary of the downtown district had previously been set at Clay Street; however, only one year ago, the Commission had acted to move this boundary northward to Washington Street. Almost immediately following that action, pressures had started to arise to move the boundary even further northward. Mr. Cauthen assumed that Mr. Ehrlich's statement to the effect that none of his clients had any present intention of exceeding the 65-foot height limit was sincere; however, he felt that the Commission should recognize that situations may change significantly within the next five years. In his opinion, unrestricted high rise development might be proper in places such as New York City; however, in cities which have hills, uncontrolled high-rise development causes people to be concerned about their views. Mr. Cauthen noted that there has been a great deal of talk about businesses leaving San Francisco because of various restrictions; but he felt that the time had come to give equal consideration to residential property owners in the city who may be forced to seek property elsewhere if their amenities in the city are destroyed. He remarked that there are many people on Telegraph Hill who would like to exceed the 40-foot height limit which governs construction in their neighborhood; however, most of them were willing to consider both the inside and outside effects which such buildings would have. Furthermore, while Mr. Ehrlich had indicated that his clients felt that they would suffer serious inequity if they were not allowed to construct buildings on the north side of Washington Street which would be equal to those allowed on the south side of Washington Street, he pointed out that there are now many buildings south of Washington Street which have not even attained a height of 65 feet. Under the circumstances, he felt that no action should be taken to allow high rise buildings north of Washington Street at least until such time as a high rise "wall" has in fact been constructed south of that thoroughfare.

President Brinton asked if the Telegraph Hill Dwellers had taken any position with regard to the parking exemption amendment. In reply, Mr. Cauthen noted that most of the buildings in Jackson Square at present are small in size; and he felt that the scale and character of Jackson Square would be threatened if the parking exemption now proposed were to be approved since those exemptions would encourage construction of larger buildings in the area.

Mr. Steele submitted his recommendations on the proposed amendments to the Commission in the form of three draft resolutions. Adoption of the first resolution would result in approval of the floor area ratio amendment. Adoption

of the second draft resolution would result in disapproval of the parking exemption amendment as proposed and approval of a modified amendment which would be worded as follows: "Where the size of the lot in such special use districts does exceed 10,000 square feet, the parking requirement for any use other than dwellings shall be in an amount which bears the same ratio to the amount stated in Section 138 as the lot area in excess of 10,000 square feet bears to the total area of the lot." The third draft resolution, if adopted, would approve the amendment allowing the transitional heights in Jackson Square and adjacent areas.

Mr. Ehrlich indicated that he supported Mr. Steele's recommendations on the floor area ratio and height limit amendments. However, he believed that the modified parking exemption amendment which had been recommended by the staff would continue to deny property owners in the subject area the same benefits as are enjoyed by property owners in the C-3-O district. Although the modified amendment would alleviate the problems involved in providing parking spaces for buildings up to 20,000 square feet, any buildings exceeding 20,000 square feet would be required to devote 20 per cent of their floor area for parking.

Commissioner Fleishhacker asked if the transitional height limit amendment would allow buildings on the north side of Washington Street to rise to the same height as buildings on the south side of the street. The Director replied that height in the transitional area would be governed only by the Commission's discretion and by the floor area ratio to which such properties would be subject.

President Brinton felt that use of the term "transitional" height limits was somewhat misleading. While he tended to think of "transitional" heights in terms of a "stepping-down" effect, the amendment recommended by the staff could result in a simple extension of the unlimited height presently allowed in the C-3-O district.

The Director believed that the 10 to 1 floor area ratio in the transitional height area would exert a strong control over the ultimate height of buildings proposed for the transitional area.

Commissioner Porter asked if the proposed transitional height amendment would allow the Commission to exercise its discretion with regard to floor area ratio standards, also. The Director replied in the negative, emphasizing that the proposed 10 to 1 floor area ratio could not be exceeded. The Commission's discretion would involve questions of height only.

After Commissioner Fleishhacker had asked him to elaborate further on his objection to the modified parking amendment which had been recommended by the staff, Mr. Ehrlich repeated the computations which indicated to him that a six story building containing 60,000 square feet would be required to reserve 24,000 square feet of the gross floor area for parking if the parking exemption amendment suggested by the Planning and Development Committee of the Board of Supervisors were not to be approved. He noted that people opposing the parking exemptions had

felt that the parking requirements set by the original ordinance would tend to discourage property mergers in the Jackson Square area. However, he was of the opinion that retention of small lots in the Jackson Square area would not necessarily assure that the character of the area will be maintained; and, in fact, he felt that buildings could be designed more creatively if larger building sites are available. In any case, it did not seem to him appropriate that parking requirements should be used to hinder property consolidation.. Instead, he felt that the Commission's principal concern should be to establish parking requirements which would be appropriate for the area.

The Director remarked that the ordinance would not require that parking be located within the same building which it would be intended to serve; in fact, the parking spaces could be located on another parcel of property within 800 feet of the property generating the need for parking spaces.

Mr. Ehrlich stated that the economic disability being faced by property owners in the Jackson Square area would be the same in either case; and if the property owner were required to provide parking spaces on a separate lot, he would, in fact, be providing parking spaces for his neighbors.

The Director stated that he felt that construction of separate parking facilities can be desirable; and he indicated that such an arrangement was recently approved by the Commission when it acted on a conditional use application requesting permission to convert the Stanford Court Apartments for hotel use. In any event, the modified amendment proposed by the staff of the Department of City Planning seemed to him to be eminently reasonable since it would gradually require provision of a greater number of parking spaces instead of setting an arbitrary square footage figure as the dividing line between buildings which would have to provide all of the parking spaces required by the Code and those which would be required to provide no parking spaces whatsoever.

Mr. Ehrlich suggested that the Commission should ask itself if the parking standards proposed would be appropriate for the subject neighborhood or if the effect of those parking requirements would be to force property owners in Jackson Square to provide parking spaces for the adjacent C-3-O District.

Mr. Cauthen stated that his organization would be the last one to want to encourage more automobiles to come to the Jackson Square area; however, in view of the floor area ratio and height amendments which were being recommended by the staff of the Department of City Planning, it seemed to him that only the requirement for provision of parking spaces would restrict the size of new buildings in the Jackson Square area.

After further discussion, it was moved by Commissioner Fleishhacker, seconded by Commissioner Newman, and carried unanimously that Resolution No. 6261 be adopted and that the floor area ratio amendment to the downtown zoning ordinance pertaining to Jackson Square and adjacent areas be approved.

Subsequently, it was moved by Commissioner Kearney and seconded by Commissioner Fleishhacker that the draft resolution pertaining to parking exemptions in Jackson Square and adjacent areas be adopted. When the question was called, the Commission voted unanimously to adopt Resolution No. 6262 approving the modified parking exemption amendment recommended by the Director of Planning.

It was then moved by Commissioner Porter and seconded by Commissioner Newman that the draft resolution concerning transitional heights in Jackson Square and adjacent areas be adopted.

Commissioner Fleishhacker felt that the discretion which would be given to the Commission in approving unlimited heights for the transitional area would place tremendous pressure on the Commission. Commissioner Porter felt that the responsibility which would have to be assumed by the Commission would be similar to that which the Commission faces in making decisions on conditional use applications; and, having faith in the judgment and integrity of the staff and of the Commission, she felt that the discretion which would be granted by the proposed amendment would be handled wisely.

When the question was called, the Commission voted unanimously to adopt Resolution No. 6263 approving the transitional height amendment to the Downtown Zoning Ordinance for Jackson Square and adjacent areas.

At 4:20 P.M. President Brinton announced a five minute recess. The Commission reconvened at 4:25 P.M. and proceeded with hearing of the remainder of the calendar.

ZM68.9 960 Haight Street, north line, 475 feet east of Broderick Street. R-3 and R-4 to C-1 District

Mr. Steele referred to land use and zoning maps to describe the subject property. He indicated that the applicant had requested reclassification of the subject property to C-1 so that a 54 room hotel could be built on the site. He indicated that the Commission, in 1962, had authorized the applicant to construct a conditional use 32 room hotel on the two Haight Street lots which were included in the present application. However, the applicant was unable to secure financing for that project; and he had applied on three subsequent occasions for conditional use authorizations for an additional 21 rooms. Also, in 1966, the applicant had applied for rezoning of the three subject lots to C-1. That application had been disapproved unanimously by the City Planning Commission; and insufficient votes had been cast by the Board of Supervisors to overrule the Commission's decision. Subsequently, in 1967, the applicant had proposed to build a conditional use 120 bed convalescent hospital on the three-lot site. That application had been taken under advisement by the Commission pending submission of more detailed plans; and, since the plans had never been submitted, that application was still being continued under advisement.

Frank Kukula, the applicant, stated that he felt that a hotel is needed in the subject portion of the city. He indicated that no one had ever appeared before the City Planning Commission or the Board of Supervisors to speak in opposition to his proposal for constructing a hotel on the site; and, in fact, 95 per cent of the property owners in the immediate vicinity had signed a petition supporting him in his appeal to the Board of Supervisors when the hotel was last disapproved by the Commission. He emphasized that the Commission had previously approved a 32 room hotel for the site; but that project had not proven to be financially feasible.

Leo Olson, one of a group of partners owning property adjacent to the subject site, stated that neither he nor the owner of property located at 121 Broderick were in favor of Mr. Kukula's proposal. He assumed that other property owners in the area might have objections to the project, also; however, since he had been on vacation when notice had been given of the Commission's hearing on this matter, he had not had an opportunity to talk with other property owners in the area.

Mr. Olson remarked that the existing density of the neighborhood causes serious parking problems; and he noted that this situation was further complicated recently when the Haight Street bus was diverted onto Broderick Street. Under the circumstances, he felt that construction of a hotel on the subject property would make the parking problem much worse, particularly if the hotel were to have 54 rooms and only 7 parking spaces. He acknowledged that there is a need for additional hotel facilities in the Haight Ashbury District; however, if a hotel were to be constructed on the subject property, he believed that it would have the effect of extending the Haight Ashbury District further eastward into the subject neighborhood. For these reasons, he and other residents and property owners in the neighborhood were concerned about the applicant's proposal.

Mr. Steele submitted a draft resolution of disapproval and recommended its adoption. He noted that the proposed reclassification would create an isolated three lot C-1 district within an area zoned and developed residentially; and, since the subject property is located less than one block from the ample C-2 district along Divisidero Street, there appeared to him to be no public need for creation of the C-1 district requested by the applicant.

After further discussion, it was moved by Commissioner Newman, seconded by Commissioner Porter, and carried unanimously that Resolution No. 6264 be adopted and that the subject application be disapproved.

Commissioner Fleishhacker asked about the current status of Mr. Kukula's conditional use application for a convalescent hospital on the subject site. Mr. Kukula replied that that application had been taken under advisement until he could submit more detailed plans for the project; however, since he had already spent $27,000 for plans for the 32 unit hotel which was previously approved by the Commission, he felt that he could not afford to spend any more money on plans until proper zoning of the site is obtained from the Commission or from the Board of Supervisors. He stated that he had expected to be turned down by the Commission

on his present request for reclassification of the property to C-1; and, since that request would have resulted in spot zoning, he did not blame the Commission for the action which they had taken.

The Director stated that the conditional use application for a convalescent hospital could be considered again by the Commission if more detailed plans were to be submitted by the applicant as requested; otherwise, the application could be denied by the Commission or withdrawn at the request of the applicant.

ZM68.20 2 Castro Street, southwest corner of Duboce Avenue.
R-3 to an R-4 District.

AND

CU68.23 2 Castro Street, southwest corner of Duboce Avenue.

Request for authorization to convert first floor of existing apartment building for medical office use.

Mr. Steele referred to land use and zoning maps to describe the subject property. He stated that the applicant had requested reclassification of the property to R-4 and subsequent approval of the conditional use application so that the three dwelling units on the first floor of the existing apartment building could be converted for medical office use. The proposed offices, which would be occupied by a prospective purchaser of the property, would have a floor area of approximately 2,500 square feet; and the five remaining dwelling units would be retained. In addition to the five parking spaces which would have to be retained for the five remaining dwelling units, eight parking spaces would have to be provided for the medical office space. Thus, three additional parking spaces would have to be added to the ten which are provided on the subject lot. In conclusion, Mr. Steele stated that the Commission, in 1967, had disapproved an application requesting reclassification of the subject property to C-1 so that the bottom two floors of the existing apartment building could be converted for medical office use; and, subsequent to disapproval of that application, two further applications requesting reclassification of the property to R-4 and conditional use authorization for conversion of two floors of the building for medical office use were considered and disapproved by the Commission.

Jack K. Dooling, attorney for the applicant, requested that hearing of this matter be postponed. He noted that Commissioner Elliott was absent; and he indicated that he would prefer to have the subject application considered by the full Commission. Furthermore, he had recently received a letter from the Buena Vista Neighborhood Association expressing concern about the possibility that approval of the subject request for reclassification of his client's property to R-4 could lead to high-rise construction in the neighborhood in the future; and, while he had discussed with his clients the possibility of transferring air rights above the subject property to the Buena Vista Neighborhood Association or to the

city itself in order to alleviate the neighborhood's concern about the possibility of high rise construction on the site, additional time would be needed to reach decisions regarding the feasibility of such a transaction. Finally, while Mr. Steele had indicated that the parking requirement for the building would be based on 2,500 square feet of medical office space, Mr. Rieke, a member of the staff of the Department of City Planning, had previously indicated that the parking would be computed on the basis of 1,400 square feet of medical office space; and he wished to have additional time to resolve that problem. Therefore, he asked that hearing of the subject application be postponed.

Allan Brotsky, representing the Buena Vista Neighborhood Association, stated that he would have no objection to the postponement requested by Mr. Dooling since residents of the neighborhood have always been more than willing to try to work with developers to resolve problems of this sort. However, in addition to the problems of spot zoning and the possibility of future high-rise construction on the site, he felt that it should be clearly understood that members of his association were also concerned about density, traffic congestion, and preservation of the present character of the neighborhood. He doubted that members of his association could ever agree to support rezoning of the subject property; and, if one floor of the existing apartment building could not be converted for medical office use without rezoning, he felt that his association would have to oppose that use of the building, also.

President Brinton asked if the neighborhood association would be willing to consent to the postponement requested by Mr. Dooling so that the possibility of drafting a covenant to run with the land to protect the interests of the neighborhood could be given further consideration. Mr. Brotsky remarked that it was unfortunate that Mr. Dooling's proposal had not been discussed with members of the neighborhood association at an earlier date so that residents of the neighborhood could have avoided wasting their time by coming to the present meeting. However, he would be willing to agree to the postponement requested if at least 90 days were allowed for a thorough discussion of this matter with members of his organization. He stated that the Buena Vista Neighborhood Association has a large membership; and he believed that it would not be possible to consider the applicant's proposal democratically unless the Commission's hearing were postponed for at least 90 days.

Mr. Dooling replied that time is somewhat of the essence for his clients. and asked if a 60 day postponement would be acceptable to Mr. Brotsky. Mr. Brotsky replied in the affirmative.

Mr. Martinez, property owner in the subject neighborhood, noted that the neighborhood is presently involved in a Federally Assisted Code Enforcement program. As part of that program, buildings are being brought up to Code standards, underground wiring is being installed, and the sidewalks are being narrowed; and, while she was not opposed to spending money for such improvements, the necessary

expenditures would be made much less happily if actions were to be taken by the City Planning Commission which would increase the density and parking congestion in the area. Personally, she felt that nothing could be resolved during the 60 day postponement.

After further discussion, it was moved By Commissioner Newman, seconded by Commissioner Fleishhacker, and carried unanimously that hearing of both of the subject applications be postponed until the Commission's regular meeting on November 7, 1968, at 3:15 P.M.

CU68.22 Property located at northeast corner of Washington and Kearney Streets.
Request for a parking lot in a C-2 Special Use District.

Mr. Steele referred to land use and zoning maps to describe the subject property. He informed the Commission that the applicant had proposed to raze the building which presently exists on the site and to construct a conditional use parking lot in its stead. He indicated that a parking lot could be authorized as a conditional use in the new Washington-Broadway Special Use District.

Robert J. Gloistein, attorney for the applicants, stated that his clients believed that there is a need for additional parking facilities in the subject neighborhood; and he pointed out that automobiles parking on the subject property would have easy access to both Clay and Washington Streets which connect with freeway ramps. He described landscaping plans for the proposed parking lot which had been developed in consultation with the staff of the Department of City Planning; and he stated that he felt that the parking lot would be much more of an asset to the neighborhood than the uneconomic eyesore which presently exists on the site.

Commissioner Fleishhacker asked if the proposed parking lot would have entrances and exits on both Washington and Kearney Streets. Mr. Gloistein replied in the affirmative.

Commissioner Fleishhacker asked about the age of the building presently occupying on the site. Mr. Gloistein stated that the building was constructed in 1907.

Richard Hunter, one of the owners of the subject property, informed the Commission that revenues from the existing building have decreased markedly in the last two years; and, as a result of the recent tax increase, net returns from the property are presently approaching zero. Therefore, it had been determined that the existing building should be demolished. He stated that he and his family hoped to construct a new building on the property at some future date; however, until such time as construction plans and financing plans for the new building could be completed, he hoped that the proposed parking lot would be approved so that some revenue could be obtained from the property.

Mr. Steele stated that he was of the opinion that the proposed parking lot would be an appropriate interim use for the subject site; and, therefore, he had prepared a draft resolution of approval for consideration by the Commission. Subsequently, he submitted and read the draft resolution which contained four conditions which would govern landscaping of the site and various aspects of the operation of the parking lot.

After further discussion, it was moved by Commissioner Kearney and seconded by Commissioner Porter that the draft resolution be adopted.

Commissioner Fleishhacker, noting that the Commission had recently approved another conditional use parking lot in the same neighborhood, stated that he was concerned about the possibility that the whole area might become an "interim use" parking lot. He believed that the Commission should not allow San Francisco to become like Los Angeles which has far too many parking lots in its downtown area; and, under the circumstances, he wondered what powers the Commission could exercise to require the owners of the subject property to construct a new building on the site.

The Director stated that the city could assure construction of a new building on the site only if it were willing to purchase the property.

Commissioner Fleishhacker remarked that the resolution proposed by the staff would not set a limit for the "interim" parking lot use. Thus, the parking lot could exist as an "interim" use for five or six years or twenty or more years.

Mr. Steele believed that the subject property would undoubtedly be developed for some higher use at an early date.

Mr. Hunter stated that preliminary plans were already being developed for a new building to be constructed on the site; however, he and his partners had not yet found a tenant for the building. He agreed that it would be better for every one concerned if the life of the proposed parking lot could be as brief as possible.

When the question was called, the Commission voted unanimously to adopt Resolution No.6265 and to approve the proposed parking lot subject to the conditions contained in the draft resolution.

The meeting was adjourned at 5:20 P.M.

Respectfully submitted,

Lynn E. Pio
Secretary

SUMMARY
AND
MINUTES
OF THE
CITY PLANNING COMMISSION
SPECIAL MEETING
TUESDAY
SEPTEMBER 10, 1968

PRESENT: Elliott, Kearney, Newman, Porter, Wight.

2:00 P.M.

Members of the City Planning Commission and staff departed from Pier 41 Bulkhead at 2:00 P.M. to take a field trip to Alcatraz. The meeting was adjourned upon their return at 4:20 P.M.

Respectfully submitted,

Lynn E. Pio
Secretary

SAN FRANCISCO

CITY PLANNING COMMISSION

Minutes of the regular meeting held Thursday, September 12, 1968.

The City Planning Commission met pursuant to notice on Thursday, September 12, 1968, at 2:15 P.M. in the meeting room at 100 Larkin Street.

PRESENT: William M. Brinton, President; Mrs. Charles B. Porter, Vice President; Virgil L. Elliott, James S. Kearney, Walter S. Newman, and Walter W. Wight, members of the City Planning Commission.

ABSENT: Mortimer Fleishhacker, Jr.

The staff of the Department of City Planning was represented by Allan B. Jacobs, Director of Planning; Dean Macris, Assistant Director-Plans and Programs; R. Spencer Steele, Assistant Director-Implementation; Phoebe H. Brown, Planner IV; Joseph Fitzpatrick, Planner III; Tom Spofford, City Planning Intern; and Lynn E. Pio, Secretary.

Donald Canter represented the San Francisco Examiner; Maitland Zane represented the San Francisco Chronicle; Lorraine Petty represented the San Francisco Daily Commercial News; Bill Dorais represented television station KQED; and station KNEW was also represented.

APPROVAL OF MINUTES

It was moved by Commissioner Porter, seconded by Commissioner Kearney, and carried unanimously that the minutes of the meeting of August 22, 1968, be approved as submitted.

CURRENT MATTERS

The Director informed the Commission that the Finance Committee of the Board of Supervisors, meeting on Wednesday, had sent to the full Board with a "do pass" recommendation a resolution approving and authorizing execution of a contract between the State of California and the City and County of San Francisco for the conduct of the Department of City Planning's Urban Design Study.

The Director reported that arrangements have been made whereby the Transit Task Force will hire, on a part-time basis, an employee to work as his assistant in reviewing final design plans which are being prepared for Market Street.

The Director and the Commission commended Tom Spofford, City Planning Intern, for the work which he had accomplished during his summertime affiliation with the Department.

The Director noted that he had mailed to members of the Commission copies of a report which he had prepared on the Department's Major Work Program Items to 1969.

PUBLIC HEARING ON PROPOSAL TO DESIGNATE THE GARDEN COURT OF THE SHERATON PALACE HOTEL AS A LANDMARK. (POSTPONED FROM MEETING OF AUGUST 8, 1968)

Mrs. Peter Platt and Don E. Stover were present as representatives of the Landmarks Preservation Advisory Board.

Allan B. Jacobs, Director of Planning, distributed and read a draft resolution which he had prepared to approve the recommended designation of the Garden Court of the Palace Hotel as a landmark.

James L. Tipton, attorney for the Sheraton Palace Hotel, stated that both the hotel and the Sheraton Corporation opposed the designation of the Garden Court as a landmark. Therefore, he hoped that the Commission would take action to disapprove, to postpone indefinitely, or to modify the proposal. He read a copy of an editorial which had appeared in the San Francisco Examiner on July 22, 1968, which remarked that the historic Palace Hotel had vanished in the earthquake and fire of 1906; furthermore, the editorial objected to the proposed landmarks designation of the Garden Court because such a designation could cast a cloud on development of a valuable piece of business property for up to six months. Mr. Tipton also displayed a photograph of the original Garden Court of the Palace Hotel which was contained in a book entitled, "Out West on the Overland Train." He noted that little trace of the original character of the room remains. He felt that the Garden Court is a charming place to dine; however, he did not believe that that fact in itself could justify the proposed landmarks designation which would lessen the value of the entire property to such an extent that the very act of designation might be considered unconstitutional.

Mr. Tipton stated that he had been advised by a realtor that designation of the Garden Court as a landmark would substantially lower the value of the hotel property. He acknowledged that the hotel could advertise the fact of its designation as a landmark; however, in the view of the hotel, landmarks designation would not appreciably increase its patronage. He stated that the possibility of tax relief had also been investigated; however, he had understood that no tax relief could be expected in the present instance. He felt that the proposed designation could be objected to as an example of "spot zoning"; and he further felt that the proposed designation could be unconstitutional since it would take something of value without providing any compensation for the loss.

Mr. Tipton stated that his clients objected to two features of Section 1006.2 of the Landmarks Preservation Ordinance. In the first case, while the ordinance provided that the Planning Commission should hold a public hearing on any permit applications filed by owners of property designated as a landmark, no mandatory time limit was set for scheduling of the hearing. In the second case, he questioned the feasibility of the Commission taking any action to "modify"

permit applications, particularly when the permit applications involved demolition proposals. Under the circumstances, his clients would continue to oppose landmarks designation of the Garden Court at least until such time as these questionable features of the ordinance have been amended. Mr. Tipton noted that some members of the Commission had previously understood that work had already commenced on the proposed amendments; and, under the circumstances, he asked the Commission to consider the possibility of postponing action on the subject proposal until the amended legislation has been prepared and enacted.

As a final alternative, Mr. Tipton suggested that the Commission might consider awarding the Garden Court a Certificate of Merit instead of designating it as a landmark. He remarked that a certificate of merit would provide all of the benefits of landmarks designation without imposing on the property owner any of the burdens of the landmarks preservation ordinance. In conclusion, he advised the Commission that there are at present no plans to demolish the Palace Hotel; however, his clients were concerned about the proposed designation of the Garden Court as a landmark since the provisions of the Landmarks Preservation Ordinance would unduly delay any alteration plans which might be developed for the building.

Commissioner Porter asked if the Sheraton Palace Hotel would still be irrevocably opposed to designation of the Garden Court as a landmark if the ordinance were to be amended as proposed by Mr. Tipton. Mr. Tipton replied that further consideration would have to be given to the proposal in any case; however, he felt that his clients might regard the proposal differently if the ordinance were to be amended.

Samuel Duca, Chief, Real Property Appraisal for the Assessor's Office, stated that his office had been deluged with inquiries regarding the possibility of tax relief for historical monuments and landmarks. He noted that landmarks designation does not change the zoning of property involved; however, such designation may or may not have an effect on the actual value of the property. In cases such as Mission Dolores, landmarks designation would never affect the value of the property; however, in cases such as the Audiffred Building, while little change in value might occur in the short term, considerable change in value could result if a high rise building were to be constructed on immediately adjacent property in the future. The Garden Court itself would pose several unusual problems since it is only a single room within a complex structure; and the issue was made even more complicated since the land and the improvements are under separate ownership. For the time being, he doubted that landmarks designation of the Garden Court would affect the appraised value of the property; however, if landmarks designation were to hinder demolition of the building at a later date, such circumstances might have an effect on the appraised value of the building. Under the circumstances, he recommended that the Commission consider the ultimate economic effect of landmarks designation when it is reviewing proposals for the designation of buildings as landmarks.

Commissioner Porter asked if Mr. Duca had stated in his testimony that the designation of the Garden Court as a landmark would not have any effect on the

assessed valuation of the Sheraton Palace Hotel. Mr. Duca replied that landmarks designation would not have any immediate effect on the assessed value of the property; however, if the landmarks designation were to become effective at the end of a year, it might have some effect on the valuation of the property.

The Director clarified the provisions of the ordinance by advising Mr. Duca that the landmarks designation is made in perpetuity. The six month or one year limit for delay would become effective only when permit applications are filed for demolition. Mrs. Platt noted that either the City Planning Commission or the Board of Supervisors could elect to hold the permit application for a lesser period of time than the six month period authorized as a maximum by the Landmarks Ordinance

Mr. Duca remarked that hotels are involved in the business of renting rooms; and, therefore,rooms are their greatest asset. The Garden Court itself is merely an adjunct to the principal hotel use of the site; and, as such, it adds little value to the property. However, if the Garden Court were to be designated as a landmark, the ability of the owners to alter or reconstruct the rest of the hotel would be limited; and, consequently, the value of the property might be affected.

Mr. Stover felt that Section 1001(a) of the Landmarks Ordinance expressed the principal purpose of the legislation which had been adopted by the Board of Supervisors; and he read that section of the ordinance as follows:

> "The protection, enhancement, perpetuation and use of structures, sites, and areas that are reminders of past eras, events and persons important in local, state or national history, or which provides significant examples of architectural styles of the past or are landmarks in the history of architecture, or which are unique and irreplaceable assets to the city and its neighbors, or which provide for this and future generations examples of the physical surroundings in which past generations lived."

Mr. Duca asked if the owners of the Sheraton Palace Hotel would have the authority to change the Garden Court if changes were made necessary because of innovations proposed in other portions of the building. Mr. Stover replied that permits for any substantial alteration of the Garden Court would have to be reviewed by the City Planning Commission if the Garden Court is designated as a landmark.

Commissioner Kearney asked if he had been correct in understanding Mr. Duca to have said that no increase or decrease in value of the Palace Hotel would be likely at the present time if the Garden Court were to be designated as a landmark. Mr. Duca replied in the affirmative.

Mr. Tipton believed that the point being made by Mr. Duca was that landmarks designation of the Garden Court would not immediately affect the tax rate of the Sheraton Palace Hotel although it could have an immediate affect on the actual market value of the property.

Mr. Duca stated that the tax rate may be affected in the future if landmark designation of the Garden Court should prevent the Palace Hotel from expanding or remodeling to meet competitive demands.

President Brinton pointed out that the landmark designation could be removed from the Garden Court within a year of the time that any positive decision is made to alter or demolish the hotel. Commissioner Porter felt that it was most unlikely that either the Commission or the Board of Supervisors would refuse to issue a demolition permit if the Palace Hotel were still opposed to the landmarks designation when they have formulated definite plans for replacement of the building

President Brinton stated that it would not be possible to speculate on what the Board of Supervisors might do in such a case. Furthermore, he felt that there was a practical possibility that the delay period could extend for more than one year after the filing of a demolition permit. He indicated that he had recommended several months ago that the staff of the Department of City Planning proceed with the steps necessary for modification of the ordinance to remove the provision allowing the Commission to "modify" a demolition permit; and he still felt that the amendment should be brought before the Commission for consideration.

Commissioner Porter stated that the landmarks board had discussed this matter and had decided to oppose amendment of the ordinance at the present time. However, she felt that the staff should request an interpretation from the City Attorney regarding the significance of the word "modify" as used in the ordinance. In any case, the matter presently before the Commission for consideration involved a proposal to designate the Garden Court as a landmark; and she felt that questions regarding use of the word "modify" could be resolved at a later date should the the issue arise.

Commissioner Kearney remarked that the Landmarks Preservation Ordinance must have been approved as to form by the City Attorney when it was enacted; thus, it seemed to him that the Commission should proceed at the present time on the assumption that the language contained in the ordinance is legal.

Mr. McHew, representing the Equitable Life Insurance Company, informed the Commission that his Company, as the owner of the property occupied by the Sheraton Palace Hotel, supported the position taken by the Sheraton Corporation with regard to the landmarks designation proposal. In response to a question raised by Commissioner Porter, Mr. McHew stated that the Sheraton Corporation has been give a 99 year lease on the land.

The Director felt that many of the questions being considered by the Commission were not relevant to the matter under consideration, i.e. whether the Garden Court of the Sheraton Palace Hotel is worthy of being designated as a landmark. He indicated that he was appreciative of the fact that property owners in some cases may not wish to have their buildings designated as landmarks; however, the basic purpose of a landmarks ordinance is to preserve buildings in the public

interest. In that regard, he felt that San Francisco's Landmarks Ordinance is essentially less restrictive than many other landmarks' ordinances which have been adopted by other cities.

With regard to the matter presently before the Commission, the Director noted that designation of the Garden Court had been recommended by the Landmarks Board. Insofar as the legality of the word "modify" was concerned, he advised the Commission that the staff had already asked for an informal opinion from the City Attorney relative to that matter; and, in due course, the opinion would be forthcoming. However, since the Commission was not presently considering a permit application involving demolition of a landmark building, he felt that that legal issue should not enter into their deliberation of the specific matter before them for consideration.

Commissioner Elliott felt that any objections raised by property owners to proposals for designation of their buildings as landmarks should deserve the serious consideration of the Commission. In the present case, the Commission had been advised that Landmark designation of the Garden Court might affect the future resale value of the building; and, at the same time, the Commission had been informed that the designation would probably not change the assessed valuation of the building. Under the circumstances, he felt that the Commission would have to decide if the public interest in having the Garden Court designated as a landmark is more important that the owner's economic interest in the building. He noted that the Commission would have no way of knowing the actual extent to which the designation would affect the value of the property.

Mr. Duca indicated that he was under the impression that the proposed designation of a single room in the Sheraton Palace Hotel as a landmark would automatically affect the entire building. The Director replied that the draft resolution which had been recommended to the Commission would affect only the Garden Court; and he indicated that the Commission had previously been advised that the Garden Court could probably be retained as a structural entity even if the remainder of the hotel were to be torn down around it.

Commissioner Porter stated that Mr. Elliott's analysis of the factors which should be considered by the Commission was disturbing to her since no buildings other than churches would ever be designated as landmarks if economic matters were to govern the Commission's decision in all cases. She stated that the Landmarks Preservation Advisory Board did not feel that designation of the Garden Court as a landmark would created an economic liability for the Sheraton Palace Hotel; and, therefore, she felt that the Commission should be concerned only with the merits of the case made for the historic value of the room.

Commissioner Elliott indicated that it was his opinion that privately owned buildings should be designated as landmarks when no opposition is raised by the property owner involved.

After further discussion, it was moved by Commissioner Kearney and seconded by Commissioner Porter that the draft resolution be adopted and that the Garden Court of the Sheraton Palace be designated as a landmark.

Commissioner Kearney stated that he felt that the key question before the Commission was whether the Garden Court should be considered as a landmark; and it was his personal opinion that the answer to that question should be in the affirmative. He recognized that landmarks designation can pose problems for property owners who wish to demolish or sell their buildings; however, in contrast, the designation would serve the public interest by affording interested individuals or groups an opportunity to purchase or otherwise preserve the building before it is demolished. He felt that it was extraordinary that the Sheraton Corporation was not willing to cooperate with the community in an effort to preserve the Garden Court; and, in fact, he felt that their unwillingness to cooperate represented a poor approach to public relations. In conclusion, he stated that it was his opinion that it would be very unwise to make an exception in the present case; and, therefore, he felt that the draft resolution should be adopted.

Commissioner Porter doubted that the six month delay authorized by the Landmarks Preservation Ordinance would cause great financial loss and/or disadvantag to the owners of the Sheraton Palace Hotel; and, in fact, the San Francisco Landmarks Preservation Ordinance is one of the weakest ordinances of its sort that she had ever seen. The purpose of the six month delay in issuing a demolition permit would be to give other people an opportunity to purchase the building at a price which would be agreeable to the present owners; and she thought that it was not unlikely that some other hotel might be more interested than the Sheraton Corporation in maintaining the character and history of the Palace Hotel.

When the question was called, the Commission voted 3 to 2 to adopt Resolution No. 6266 approving the designation of the Garden Court of the Palace Hotel as a landmark. Commissioners Kearney, Newman, and Porter voted Aye; Commissioners Brinton and Elliott voted No.

At 3:30 P.M. President Brinton announced that the meeting was recessed. Members of the Commission then proceeded to Room 282, City Hall, where they were joined by Commissioner Wight, and reconvened at 3:40 P.M. for hearing of the remainder of the agenda.

CONSIDERATION OF PORT AUTHORITY'S EXPANSION PLAN AND INDIA BASIN FILL AS PART OF THE SOUTH BAYSHORE STUDY AND PLAN.

Allan B. Jacobs, Director of Planning, advised the Commission that the Port Authority had filed an application with the Bay Conservation and Development Commission for additional fill in the vicinity of India Basin. He indicated that the staff of the Department of City Planning had been aware of the Port's proposal for quite some time; and, recognizing that residents of Potrero Hill, Hunters Point, the South Bayshore District, and portions of the Mission District have an interest in continued access to the water in the vicinity of India Basin, the staff had recommended that any fill undertaken by the Port Authority should not extend beyond

the new bridge which is to be constructed by the state. The issues which he felt should be considered by the Commission were as follows: (1) The Port's need for expansion and for development of facilities which will meet the requirements of modern container shipping and which will ultimately provide employment for residents of the city. (2) The relationship of the Port's proposal to the over-all plan for the South Bayshore area which had been prepared by the staff of the Department of City Planning. By the same token, the desires of the people living in the subject neighborhood should be considered, also. (3) The Bureau of Bay Toll Crossings and the State Division of Highways had indicated that the fill proposed by the Port Authority might substantially affect the cost of the new bridge which will terminate at India Basin; and, although the engineers from the state agencies and the Port Authority were trying to resolve this question, he felt that the Commission should take the problem into account while considering the proposal of the Port Authority.

President Brinton asked about the schedule which would be followed by the Port Authority in proceeding with their fill project. Eugene Sembler, Chief Engineer for the Port Authority, replied that construction of a dike around the area to be filled could be initiated immediately. Construction of the dike would take from two to two and one-half years; and, subsequently, the enclosed area would be filled. At this point, he submitted and summarized a written statement which he had prepared. That statement read as follows:

> "I am E. L. Sembler, Chief Engineer of the San Francisco Port Authority. This Commission requested that I review the Master Plan of the San Francisco Port Authority in the India Basin area. I would therefore like to present to you what we propose to do as well as why we are carrying forth this project. The proposed project is shown on our display.
>
> In 1877 the State Legislature foresaw that if the City of San Francisco was to remain a major seaport under an extensive growth and development program, it would be necessary to reserve certain areas for commerce and navigation. Accordingly, they reserved water areas along the San Francisco Waterfront, China, Central, and India Basins for these purposes. Since that time, China and Central Basins have been developed and used for maritime activity. Today, we are considering India Basin.
>
> This historical concept became an active part of the long range planning of the San Francisco Port Authority approximately 25 years ago. In 1953 preliminary plans and estimates were prepared for the proposed development of the southern waterfront of San Francisco. In the early 1960's the Port Authority was becoming aware of the fact that the facilities at the northern waterfront would soon become obsolete. We were faced with the question 'What was the future of the Port of San Francisco?'

Were we to remain one of the major seaports of the world? Accordingly, the San Francisco Port Authority in 1963 had the Arthur D. Little Co. do studies on the economic potential and future of the Port. The developmental plan for the India Basin area is based directly upon these findings as set forth in the report titled "San Francisco's Maritime Future" submitted in November 1967.

An earlier report prepared by Arthur D. Little in 1965 concluded that the economics and changing technology of port operations made necessary a large-scale shift of San Francisco's cargo-handling activities from outmoded Northern Waterfront piers to new terminals in the southern Waterfront area. These 1965 recommendations urged that the Port Authority proceed with such facilities before trade, which had historically come to the San Francisco Bay area, shifted to other areas.

The consultants' second-phase report of November 1967 was even more emphatic in pointing out that if development of new cargo terminals was delayed, 'other ports and other areas will have preempted the economic role now being played by the Port of San Francisco, the focus of Northern California's maritime industry...'

The consultants added:

> 'Such a diminution of the Port's role would subtract from the more than 23,000 San Francisco jobs and over $195 million annual payroll generated by the present magnitude of the Port's operations. Failure to provide modern efficient terminal facilities as they are needed would also retard the economic growth of the entire Bay Area by causing harmful disruption to the basic infrastructure of the Northern California economy.'

Examining the salient technical and economic considerations which led to its November 1967 recommendations for immediate construction of new India Basin facilities, the consultant firm reached several principal conclusions which I will briefly review.

I. The first conclusion was that a key element in present and future maritime transportation systems is the container ship - a ship in which all or most of its cargo is carried in standard sized boxes.

II. San Francisco continues as an ideal location for Bay Area maritime activity. The Port's record to date confirms the faith of those who have predicted that cargo volume would continue to grow. Concern about San Francisco's future as a major port does not stem from any basic flaw in location, but rather from whether the Port can and will build the facilities demanded by the new containership technology.

III. If the Port does not build a new major container terminal, Arthur D. Little estimated that by 1975 the Port's annual revenue from trade activity will be $2 million less than if a new terminal were offered. By 1980 this difference in annual revenues can be expected to reach $3.2 million.

IV. By 1970 the Port's total bond servicing requirement will be 60 percent higher than in 1967. If the Port were to generate the same cash flow in 1970 as it did in 1967, the best year in its recent history, its financial obligations still would not be covered and a deficit of close to $0.5 million would exist. The Port must provide needed new facilities, so that cargo revenue will continue to grow.

V. The best site for the new container operations is the India Basin site. Priority should be given to the building of a full-container super-terminal there.

VI. A portion of the southern end of India Basin should be retained as an open water area however, to maintain an area focal point for marine recreation. The first part of a three-phase container terminal development program should be inaugurated immediately. The Southern Bridge Crossing design and the Bay fill program should be geared to the total terminal program, which will ultimately provide from 10 to 12 new berths.

Approximately 40% of the original proposed development fill has already been omitted from the final plan. The Planning staff is now requesting us to omit 60% of the remaining development area. On September 11, 1968 this matter was once again reviewed by the Commissioners of the San Francisco Port Authority. It was their strong feeling that we have already reduced the area to an absolute minimum to serve the needs of the marine industry.

It should be made clear that the San Francisco Port Authority Master Plan in no way eliminates the use of India Basin as a recreational area. We feel that the normal user will not be aware of the difference between our proposal and the Planning

Commission staff proposal. As you can see from the drawing, the view from the land side will remain approximately the same under either proposal. Additional fishing area is available along the west side of the new terminal. It also should be noted that the deep water in the area will probably increase the fishing potential. Circulation of water in the area will be aided by the cooling water demand of the Pacific Gas and Electric Company.

It is our desire that the India Basin area be used for the maximum economic and physical development. We hope the Planning Commission concurs. We request that the Planning Commission adopts the Master Plan of the San Francisco Port Authority in this area."

In addition to the comments contained in the prepared statement, Mr. Sembler remarked that the first master plan prepared by the Port for the India Basin area would have closed India Basin for all practical purposes; however, in accordance with a request made by the staff of the Department of City Planning, that master plan had been modified and the number of berths proposed had been reduced. He believed that the modified master plan would provide sufficient facilities to enable the Port operation to remain economically sound. However, if it were not to be approved, the Port might become a liability to the taxpayers.

Mr. Sembler believed that the issue under consideration would not involve a decision as to whether the city should have a viable Port operation or a recreational area at India Basin; rather, he felt that the two facilities would be compatible. The Port expansion project would actually improve the proposed India Basin recreation area by creating deep water in an area which is presently quite shallow; furthermore, from the viewpoint of people standing on the shore, the size of the proposed facility would not be apparent.

Mr. Sembler stated that he had met that morning with representatives of the Division of Bay Toll Crossings; and he was convinced that any problems created by the proposed fill with regard to the new bridge could be considered engineering problems and not economic problems. Furthermore, while a map was on display in the meeting room indicating the extent to which India Basin might be filled by the Navy, he had understood that the present plans of the Navy involved the creation of a deep well or channel at India Basin. Although private property owners might wish to undertake additional fill, such proposals could be controlled by the city and by the Bay Conservation and Development Commission. Therefore, he did not feel that it was likely that India Basin would ever be completely lost. In conclusion, Mr. Sembler emphasized that the Port Authority had established a policy of cooperation with the city by agreeing to reduce the number of berths which had been proposed in its original master plan; and he hoped that the city would be willing to cooperate with the Port Authority and to approve the modified master plan which was presently under consideration.

Claude Gruen, representing the firm of Arthur D. Little, Inc. confirmed that the economic study which his firm had undertaken for the Port Authority had made it clear that the additional berths presently being proposed must be provided if the Port is to remain a viable entity; and, in his opinion, sufficient space for the project would not be available anywhere else except at India Basin.

Reuel Brady, representing the Bret Harte Improvement Association, asked what type of fill would be used by the Port Authority. Mr. Sembler replied that the fill would be obtained from dredging operations which will take place off shore at Islais Creek.

Mr. Brady asked why the fill could not be obtained by dredging off shore from the south shoreline of India Basin. Mr. Sembler replied that the Port Authority project would be constructed within a tight budget; and he indicated that no money would be available for additional dredging.

Mr. Brady wondered if any assurance could be given that other agencies would not place additional fill in India Basin in the future. He also felt that the Port Authority should help the community to achieve the recreational area which had been proposed at India Basin.

Mr. Sembler stated that he believed that the Port Authority had cooperated with the city by reducing the number of berths which were proposed to be constructed at India Basin.

Commissioner Porter asked if it were mandatory for the Port Authority to fill India Basin to the extent proposed if it were to remain competitive. Mr. Sembler replied in the affirmative. He stated that the Port Authority has tenants who must know what type of facilities can be offered in the immediate future; and, if adequate facilities cannot be made available, the tenants will probably move elsewhere.

Paul Sherrill, representing the Potrero Hill Residents and Home Owners Association, advised the Commission that his organization has advocated a recreational development along the city's eastern waterfront for many years; therefore, he felt that it would be regrettable if the expansion proposed by the Port were to jeopardize the possibility of constructing a recreational facility at India Basin. From remarks made during the present hearing, he had not been able to determine whether the Port expansion project would, in fact, jeopardize the India Basin recreational area; and, therefore, he was anxious to hear the Director's recommendation on the Port's proposal.

The Director stated that he regarded the primary danger of such proposals to be one of "incrementalism". In any case, he did not feel that the fill proposed by the Port Authority would necessarily help the recreational potential of the India Basin area.

Mrs. Elizabeth Rote, Vice President of the Greater Missions Citizens Council, stated that one of the goals of her organization has long been to have an eastern marina; and she felt that such a development was becoming ever more important because of the growing population in the eastern part of the city. She indicated that her organization did not wish to jeopardize any jobs; but they did wish to be absolutely certain that no more fill is allowed unless it is necessary to insure the viability of the Port. In any case, members of her organization were confident that the City Planning Commission would preserve as much of the shoreline as possible.

The Director remarked that he could not state with any absolute final assurance that the recreational facility proposed to be located at India Basin would in fact become a reality; nevertheless, in order to protect and enhance the recreational potential of the area, he had prepared the following recommendation for the Commission's consideration:

"The San Francisco Port Authority proposals for fill and development in India Basin as shown on San Francisco Port Authority drawing No. 7641-352-6, dated 7-2-68, will be generally acceptable provided that:

a. Problems in the proposed fill area related to bridge and freeway pilings shall be resolved to the mutual satisfaction of the Port and of the State Division of Bay Toll Crossings and the State Division of Highways, consistent with the requirements of the South Bayshore Plan. Until these problems are resolved, the Commission should not advocate the fill proposal.

b. The proposed fill is found to be essential to the continued economic health of the Port of San Francisco and is to be used exclusively for maritime terminal purposes. Use of the fill area for an industrial park, for salvage yards, for an airport, or other general commercial purposes will not be acceptable. Therefore, it should be determined that the filled area will be used for maritime terminal purposes before approval is given.

c. The configuration of the fill is coordinated with the bridge and freeway design and is in conformity with the Department of City Planning proposals for development and use of India Basin for public and commercial recreation pruposes.

d. Landscaping along the west and south margins of the fill and public access to this area shall be provided.

e. Fill and development shall proceed expeditiously upon final approval.

The City Planning Commission approves the Shoreline Plan for India Basin as modified subject to the above conditions, and

a. Authorizes the Director of Planning to take all necessary steps to effectuate the plan, and

b. Is opposed to further fill in India Basin unless it is in conformity with the subject plan.

In addition it is suggested that any fill permitted south of the bridge, in accordance with the preceding recommendations, which is not used immediately for maritime purposes shall be made available by the San Francisco Port Authority to the public for recreational use."

Mr. Brinton asked Mr. Sembler if the recommendations of the Director of Planning would be consistent with the requirements of the Port Authority. Mr. Sembler replied that the recommendations seemed to be partially consistent with the requirements of the Port Authority; however, he indicated that the configuration of the fill would possibly have to be changed if any adjustments were made in the location of the proposed bridge. Nevertheless, so long as the fill configuration remains useable, it would be acceptable to the Port Authority. He indicated that the Port Authority had committed itself to provide public access to areas along the west and south margins of the fill; however, landscaping of the area had not been proposed, and no funds had been committed for that purpose. Of the other recommendations proposed by the Director, he was most concerned about the requirement that complete agreement be reached between the Port Authority and the State Division of Bay Toll Crossings and the State Division of Highways. He indicated that the Port Authority would be willing to work further with those agencies in an effort to reach agreement; but he felt that the Commission's resolution should not make complete agreement mandatory.

The Director stated that he had not offered the recommendation with the intention of giving a "club" to the Division of Bay Toll Crossings. However, to the best of his knowledge, the issue regarding the relationship of the fill proposed by the Port Authority and the proposed bridge had not been settled; and, if the issue could not be resolved, he thought that the Commission might wish to withhold its approval of the filling operation. Furthermore, he felt that it was apparent that his approval of the fill was being offered reluctantly; and it seemed to him important that the Commission should reserve the right to oppose any future alterations of plans for the India Basin area which would adversely affect the goals of the community.

Commissioner Porter inquired about the status of the new bridge. A representative of the Division of Bay Toll Crossings stated that the route location of

the bridge had already been approved; and he indicated that his agency had received $10,000,000 to undertake planning and design studies for the bridge. He estimated that the bridge would be under construction in 1971 or 1972.

Commissioner Porter asked if she were correct in understanding that the Port Authority's project must be underway by 1970. Mr. Sembler replied that the project must be completed by 1970. Otherwise, the Port might loose one of its largest tenants.

The Director advised the Commission that the Port Authority and the Division of Bay Toll Crossings will have to resolve their problems before the BCDC hearing on the Port proposal which is scheduled to be held within the next two weeks.

Mr. Sembler stated that the engineering problems posed by the juxtaposition of the proposed terminal and the proposed bridge could be resolved in a way which would cost the Division of Bay Toll Crossings only a small amount of money. However, other agreements, such as those affecting right-of-ways, would still have to be negotiated.

Commissioner Kearney commented on the fact that there has been an increasing recognition of the desirability of landscaping facilities such as those maintained by the Port; and he remarked that a considerable landscaping program had been undertaken by the Port of Los Angeles. Under the circumstances, he felt that the Director's recommendation regarding landscaping of the west and south margins of the fill should be considered a reasonable requirement.

Mr. Sembler stated that he was wary of committing the Port Authority to such a project at the present time. In any case, he felt that federal beautification programs might be available to provide amenities of that sort.

The Director remarked that the Commission had, on many occasions, placed more stringent landscaping requirements on private developers who had had less resources than the Port; and, under the circumstances, he did not feel that his recommendation for landscaping was unreasonable. In fact, he thought it possible that the Commission might wish to go beyond his recommendation and to require that the Port Authority provide further amenity in the India Basin area by dredging the area which had been mentioned by Mr. Brady.

President Brinton asked if Mr. Sembler had any objection to the requirement proposed by the Director that problems in the proposed fill area should be resolved consistent with the requirements of the South Bayshore Plan. Mr. Sembler replied in the negative. He indicated, however, that he was still disturbed about the requirement that problems in the proposed fill area should be resolved to the satisfaction of the State Division of Bay Toll Crossings.

The Director suggested that that requirement could be reworded to specify that the problems should be resolved through the <u>mutual</u> satisfaction of the Port and the State Division of Bay Toll Crossings.

After further discussion, it was moved by Commissioner Newman, seconded by Commissioner Kearney, and carried unanimously that the recommendation of the Director, as amended, be adopted as City Planning Commission Resolution No. 6267.

At 4:45 P.M. President Brinton announced a ten minute recess. The Commission reconvened at 4:55 P.M. and proceeded with hearing of the remainder of the agenda.

CONSIDERATION OF POLICY ALTERNATIVES FOR PROVIDING RAPID TRANSIT SERVICE TO THE SAN FRANCISCO INTERNATIONAL AIRPORT AND TO THE PENINSULA.

Allan B. Jacobs, Director of Planning, submitted and described a report which he had prepared for the consideration of the Commission. The report, which is available in the files of the Department of City Planning, can be summarized as follows:

Background

"In 1961 San Mateo County withdrew from the Bay Area Rapid Transit District. This eliminated machinery for the planning and development of new rapid transit facilities to the Peninsula.

By 1964, three years later, San Mateo County officials had reached the conclusion that the transportation situation in the country indicated that there well might be a need for public action to provide mass transit facilities. They sponsored the formation of the West Bay Rapid Transit Authority, created by the State Legislature to renew the preparation of rapid transit plans for the Peninsula, to prepare plans for financing and implementation, and (if voter approval were obtained by 1970) to actually build and operate rapid transit facilities.

The West Bay Rapid Transit Authority legislation provided that San Francisco, San Mateo County, and Santa Clara County can join. So far, only San Mateo County has joined. The Authority has engaged in studies of the feasibility of methods of providing mass transportation in the County, and between it and adjacent counties -- particularly San Francisco.

A number of proposals have been studied, including use of hovercraft, hydrofoil boats, express buses on private rights-of-way, and a subway under El Camino Real. The alternatives that have been under consideration by WBRTA for implementation include:

(a) Extension of the Mission-Daly City BARTD rapid transit line from its terminal at Daly City to the vicinity of San Francisco International Airport or directly to the terminal with present Southern Pacific service continuing;

(b) Extension of the BARTD line from Daly City to San Jose;

(c) Up-grading and improvement of the existing Southern Pacific suburban railway line including the provision of a new downtown terminal;

(d) A county-wide bus system including feeder service to the Daly City BARTD station with possible limited express bus service to downtown San Francisco if preferential highway facilities are available. The S.P. service would remain unchanged;

(e) The continuation of existing transit service.

While San Francisco will have, with the completion of the BARTD system, a first class rapid transit system to the East Bay and serving the southwest part of the City, rapid transit or express transit service serving Marin, the Peninsula, the airport, and the southeast Bayshore area within San Francisco will be lacking or at best inadequate.

San Francisco's Interests and Objectives in Peninsula Transportation

San Mateo County's interest in good mass transportation to San Francisco stems largely from the fact that a good share of their employed persons work in San Francisco and would greatly benefit by a fast, convenient, and inexpensive means of getting to and from work.

San Francisco has four main interests and objectives in wanting to help shape the direction of planning for fast, modern, mass transportation from the Peninsula into San Francisco:

(1) To provide a high-capacity means of bringing persons into concentrated central areas for employment, shopping, business, visiting, and entertainment, with minimum use of land and with a minimum of traffic congestion;

(2) To provide a link in a regional rapid transit system serving the Central Business District, stimulating its

orderly development, and helping to shape the direction of its growth and expansion into areas best suited for concentrated CBD uses;

(3) To provide a high-capacity, congestion-free facility for reaching San Francisco International Airport;

(4) To provide mass transportation facilities for the Southeast Bayshore District -- both for employees working there who would use it in journeys-to-work outside the City, or in other parts of the City.

Summary and Conclusions

1. Beyond existing programs and efforts to provide rapid transit via BARTD and upgrading of San Francisco's Municipal Railway facilities, the most urgent need for transit is between San Francisco and the Peninsula, including San Francisco International Airport. Present and future highway congestion, the continued rapid expansion of airport oriented travel, the City's own South Bayshore needs, and anticipated rapid population growth on the Peninsula all point to this.

2. Any transit system planned for this corridor should not only provide for commuter traffic from the Airport and Peninsula, but should also:

   (a) be an integral part of an over-all transit system serving the City and region, i.e., it should not be an ad hoc facility but should be a part of or easily adaptable to an over-all system;

   (b) provide for and be a tool to achieve the most desired land use development patterns in the Central Business District, the City as a whole and the region;

   (c) serve the South Bayshore district of the City -- its population and job centers -- if at all possible.

3. Of the alternatives explored in this report, the Southern Pacific Up-grading plans would appear to be the cheapest and quickest means of achieving meaningful immediate improvements for Peninsula commuters and airport travelers. However, as indicated earlier, the Southern Pacific has reacted negatively to these proposals and it appears

futile to further pursue this alternative. West Bay Rapid Transit Authority officials have set aside further consideration of this plan and the City Planning Department no longer considers S.P. Up-grading feasible and is concentrating its efforts on other alternatives.

4. At this time, the most desirable alternative for providing service to the Airport and the Peninsula would be the BARTD Extension to the Airport. While this does not provide rapid transit service to the Southeast Bayshore District it would allow the limited service provided presently by the S.P. to continue. If a WBRTA-BARTD line from Daly City were to be extended to San Jose this would probably preclude continued S.P. commute service. This would therefore result in near capacity initial usage of the BARTD line limiting the potential for future growth, loss of limited service to the Bayshore District, and the loss of a second direct rail commute line from the Peninsula to the CBD. It is therefore proposed that new rapid transit service to the Airport and Peninsula be initially limited to the BARTD Extension to the vicinity of the Airport, and into the Airport via spur or other means, and that long distance Peninsula commute service continue to be provided by the S.P.

   The second stage of development should consist of BARTD extension south from the Airport to San Jose, replacing S.P. service. Concurrent with this extension, an additional BARTD compatible line should be constructed north from the Airport through the Southeast Bayshore to the CBD. This would provide rapid transit service to the Southeast Bayshore as well as providing additional capacity for Airport and Peninsula commuters. The northern end of this line could follow the general routing proposed for the S.P.-Seventh and Mission Streets alternative and eventually be tied into a Geary, Marin, or second East Bay line.

5. This plan concept represents the most promising policy to be pursued by the City at this time, and the City should take the initiative to enter into direct and formal discussions with West Bay Rapid Transit Authority so that joint planning and development of rapid transit can be successfully brought about to serve San Francisco's downtown, its Southeast Bayshore area, its Airport and Peninsula. <u>It is vital that San Francisco participate in the decisions early, decisions which will have crucial effect on its future growth and development</u>. Otherwise,

it is possible that major decisions, possibly not in the City's best interests, will be made without San Francisco's participation.

Such policy plans are necessary to provide a framework for evaluation of proposals which may arise in the future.

6. City policy should also be geared to relating the design of its Airport expansion with the potential of a direct rapid transit link to the Airport from downtown San Francisco. This effort should involve relevant San Francisco and West Bay public agencies.

7. Locational and design criteria for any transit system in the Bayshore corridor are being developed and defined by the Department of City Planning as part of its current work program geared to the development of transportation policy for the City."

Subsequently, the Director submitted and read a draft resolution which contained the following resolves:

"NOW THEREFORE BE IT RESOLVED, That the City Planning Commission recommends to the Mayor and the Board of Supervisors that the present policy of the City and County of San Francisco be:

1. That the most promising alternative of those now under consideration for expeditiously providing rapid transit to San Francisco International Airport and to the Peninsula is the extension of the BARTD line to the vicinity of the airport and into the airport via a spur or other means.

2. That the most satisfactory long term rapid transit development now under consideration for the total Southeast Bayshore-Peninsula Corridor would consist of the extension of the Airport BARTD line south from San Francisco International Airport to San Jose, with concurrent extension of a BARTD compatible line north from the airport through the Southeast Bayshore District to the Central Business District to provide rapid transit service to the Southeast Bayshore as well as to provide additional capacity for airport travelers and Peninsula commuters; and

BE IT FURTHER RESOLVED, That the City should engage in discussions with the West Bay Rapid Transit Authority and the Bay Area Rapid Transit District for the purpose of joint planning and development of multi-purpose rapid transit to serve San Francisco, San Francisco International Airport and the Peninsula."

John Dykstra, representing the San Francisco Redevelopment Agency, asked if the Commission would defer action on the Director's recommendation until the Redevelopment Agency has had an opportunity to analyze the effect which the recommendations would have on approved redevelopment projects at Yerba Buena Center, Butchertown and Hunters Point. He noted that approval of the G.E. Monorail project would involve construction of a terminal in the Yerba Buena Center; and, therefore, the recommendations of the Director of Planning could significantly affect plans for that redevelopment project area.

The Director stated that the fundamental concern of the Commission should be to establish a policy for provision of an over-all transportation system which would serve the city and the region. He noted that over-all policies of the sort proposed could affect many different kinds of projects; however, he felt that it is essential that a policy should be established to provide a frame of reference for major development projects.

After further discussion, it was moved by Commissioner Kearney, seconded by Commissioner Newman, and carried unanimously that the draft resolution recommended by the Director of Planning be adopted as City Planning Commission Resolution No. 6268.

CURRENT MATTERS CONTINUED

John Tolan, Mayor Alioto's Deputy for Development, informed the Commission of the steps which had been taken by the Mayor's office to obtain a commitment from the federal government for release of portions of Fort Funston, Fort Miley, and Fort Mason. The federal government had agreed that portions of Fort Miley and Fort Funston would be released if they could be used for housing; however, it had specified that any building sites created on the property should be sold at their appraised value. Therefore, while the property could not be used to increase the city's supply of low cost housing, it might be possible to use the Fort Miley property for housing which would be suitable for elderly people or for families with children. Acquisition of Fort Funston would have the added attraction of providing the city with shoreline property which would have to be maintained as open space since it would be too steep for building.

Mr. Tolan stated that a private development firm had been consulted in order to gain a better idea of how the surplus federal properties might be utilized for housing; however, Mayor Alioto had not committed the city to any particular plan or to any particular developer. Yet, now that a commitment had been obtained from the federal government that it would release the property for housing, he hoped that the Department of City Planning would be able to prepare recommendations regarding the types of residential development which might be appropriate on the sites.

With regard to Fort Mason, Mr. Tolan stated that the federal government had agreed to give up its holdings in exchange for a new federal office building to be located in the vicinity of the existing Federal Office Building in Civic

Center. If such an exchange could not be effected, the federal government would build a new office building in Fort Mason.

Mr. Tolan realized that both the City Planning Commission and the Board of Supervisors had adopted policies stating that Fort Mason should be preserved as open space. However, he emphasized that the federal government was not prepared to release the property for that purpose; and he felt that the most that any private developer who might acquire the site could be required to do would be to maintain the Officers' Club because of its historical importance.

Mr. Tolan asked the Department of City Planning to review the property exchange which had been proposed by the federal government and to prepare recommendations for an appropriate development of Fort Mason. However, since the federal government had indicated that it would require 800,000 square feet of office space plus parking spaces for 800 automobiles, it was obvious that the success of the property exchange would depend a large part on the value of the zoning recommended by the City Planning Commission for Fort Mason. In conclusion, Mr. Tolan remarked that the proposal made by the federal government whereby Fort Mason would be exchanged for a privately constructed office building would benefit the city by returning Fort Mason to the tax rolls.

The meeting was adjourned at 5:40 P.M.

Respectfully submitted,

Lynn E. Pio
Secretary

SAN FRANCISCO

CITY PLANNING COMMISSION

Minutes of the regular meeting held Thursday, September 19, 1968.

The City Planning Commissioner met pursuant to notice on Thursday, September 19, 1968, at 1:00 P.M.

PRESENT: William M. Brinton, President; Mrs. Charles B. Porter, Vice President; Virgil L. Elliott, James S. Kearney, Walter S. Newman, and Walter W. Wight, members of the City Planning Commission.

ABSENT: Mortimer Fleishhacker, Jr.

The staff of the Department of City Planning was represented by Allen B. Jacobs, Director of Planning; Dean L. Macris, Assistant Director-Plans and Programs; Maurice F. Groat, Planner IV-Urban Systems Analyst; Samual Jung, Planner IV; Marie Carlberg, Planner III; David Smith, Planner II; Clifford Marks, Planner I; and Lynn E. Pio, Secretary.

Scott Blakey represented the San Francisco Chronicle; Donald Canter represented the San Francisco Examiner; George Dusheck represented television station KQED.

1:00 P.M. - Field Trip

Members of the Commission and staff departed from 100 Larkin Street at 1:00 P.M. to take a field trip to properties scheduled for consideration during the zoning hearing of October 3 and to property which was the subject of the referrals which were to be considered during the present meeting.

2:15 P.M. - 100 Larkin Street

APPROVAL OF MINUTES

It was moved by Commissioner Newman, seconded by Commissioner Elliott, and carried unanimously that the minutes of the meeting of September 10, 1968, be approved as submitted.

CURRENT MATTERS

Allen B. Jacobs, Director of Planning, advised the Commission that Judith Gaffin, Planner II, Urban Economist-Demographer, is leaving the Department to return to graduate school. Both the Director and the Commission commended Mrs. Gaffin for the work which she had accomplished for the Department.

The Director reported that the Planning and Development Committee of the Board of Supervisors, meeting on Tuesday, had recommended to the full Board that

the Downtown Zoning Ordinance provisions pertaining to Jackson Square and the adejacent areas be amended as recommended by the Commission with the exception of the parking exemption amendment. The Committee recommended that all properties of up to 20,000 square feet be completely exempted from parking requirements. These actions were in accordance with the Committee's original recommendation.

The Director advised the Commission that copies of the final report on the Mission Street Transit Station Areas Design Study had been received from the consultants; and he indicated that he was now prepared to authorize final payment to the consultants.

Pete Groat, Planner IV-Urban Systems Analyst, presented and summarized a report entitled, "Status of the San Francisco Simulation Model". This report is available in the files of the Department of City Planning. After discussing the purpose of the model and commenting upon the work which had been done by the staff of the Department of City Planning to develop and refine the model, Mr. Groat reported on the current status of the model as follows:

"1. In terms of its computer operation, the model appears to be free of serious errors of the kind that caused visible malfunctions in the past;

2. As a simulation of the housing market, as measured by the new construction activity in San Francisco from 1960 to 1966, the model does not appear to be reliable at this point.

While there may be a number of causes responsible for this failure to simulate accurately, the principal deficiency seems to be in the quality and quantity of information needed for the operation of the model. This evaluation is based on information from the series, Changes in the Housing Inventory, first published by the Department in 1967. These reports contain information derived from special surveys of City records which are kept current and have provided a means for measuring the model's reliability with data not available to the earlier model analysis during the Community Renewal Program. The improved information pointed up variations by areas of the City and by structure types which made the results of the model, though good on the whole, suspect in part. It was this evaluation which led to the conclusion that the model cannot be considered a sufficiently reliable simulation at this point in time.

However, there are a number of hopeful indications that, even though the model is not performing in an acceptable quantitative manner, the qualitative results, or directions, seem reasonable. For this reason, no general inferences concerning the impact of the policy alternative incorporated in this version of the model have been drawn. Although the model has not performed to a standard of clear acceptability of its results, neither is there evidence that its basic structure has been invalidated. There is very good reason to believe that improvement in the information base and clarification of certain functional aspects of the model would result in greatly improved operations.

3. As an easily employed device, the model continues to leave much to be desired. In particular:

   - Knowledge of its operation is restricted to a very limited staff;

   - Its computer program is insufficiently documented and has not been adequately "flowcharted";

   - It remains time consuming and difficult to analyze. Standard analytical "output" formats are required if the model is to be used with any facility for regular operations;

   - Its use is not sufficiently understood by a broad spectrum of responsible agencies;

   - Its considerable need for information cannot be satisfied by any existing system within City government, and its dependence upon census data makes it especially vulnerable."

In conclusion, Mr. Groat stated that the staff of the Department responsible for the future development of the model, had formulated the following recommendations for consideration by the Commission:

"The foregoing conclusions regarding the performance of the model have led the staff of the Department, responsible for its further development, to the following recommendations:

1. That further operations with the simulation model be terminated at this time in the interest of other work programs of the Department;

2. That the money originally appropriated for the simulation model operation be used in upcoming surveys of the housing market to provide the information about the housing stock and its users which may, in the long run, serve the end of an improved information system that will permit, as a by-product, improvement of the model;

3. That sources of funds outside the City be sought as quickly as possible to flowchart and document the computer program and to prepare a detailed systems manual that will describe the operation and use of the model;

4. That sources of funds outside the City be sought for the establishment of the independent information system required for effective operation of the simulation model;

5. That sources of funds be sought to bring information about the housing stock of the City and the various demands that will be made upon it in the future up to date.

Commissioner Porter asked if she were correct in understanding that the effectiveness of the model had been limited by the lack of adequate information and by the city's lack of control over the actions of private investors. Mr. Groat replied that both the quality and quantity of information available for the model had been deficient. However, even though the city does not have control over the actions of private investors, the housing market closely represents the conditions of the perfect market; and, therefore, he felt that it would be possible for the staff of the Department of City Planning to learn enough about the behavior of private investors in the housing market to provide reliable information for the model.

The Director advised the Commission that the consultants who had worked with the Department of City Planning on the design of the model had been made aware of the staff's conclusions and recommendations; and he indicated that the consultants were in agreement with the position taken by the staff.

Commissioner Newman asked how much money had been invested in the model. Mr. Groat replied that approximately $142,000 had been spent on the model, including a cash expenditure of $39,000 by the city. In addition, most of his office time had been spent on the model since 1965.

The Director stated that it was his opinion that both the staff of the Department of City Planning and the city had benefited greatly from the work which had been done on the model. Much had been learned about housing conditions in the

city and the reasons for those conditions; and, as a result, a new sense of direction had been achieved. He remarked that it would have been easy for the staff to have continued with its work on the model; however, because of present circumstances, and because of staffing and time allocation problems, the decision had been reached that further operation of the simulation model should be terminated for the time being in the interest of other work program items of the Department. Since only Mr. Groat has any real familiarity with the operation of the model, he felt that it was important that the report presently being discussed had been prepared; and, if outside funds could be obtained, he felt that a detailed systems manual should be prepared to describe the operation and use of the model.

Commissioner Porter stated that she was pleased that the report had been published and that the Department intended to seek outside funds for preparation of a more detailed description of the model since she had always been uncomfortable about the fact that the model had been understood by only one person.

President Brinton asked if private industry would be interested in using the model. Mr Groat replied that he was certain that private industry would be interested in using the model if it were fully operational; however, he indicated that he was somewhat dubious about the reliability of the model as of the present time.

Commissioner Newman asked how much money the Department would save as a result of the decision to stop work on the model at the present time. The Director replied that the Department would save $10,000 in consultant fees plus Mr. Groat's staff time; and he indicated that both of those resources could be used for other studies which would, in time, make the model more meaningful.

President Brinton asked how much money would be needed to prepare a detailed systems manual of the model and to flowchart and document the computer program. Mr. Groat estimated that such a project would cost between $10,000 and $15,000.

Commissioner Porter inquired if there were any possibility that funds might be made available by the federal government for further work on the model. The Director replied that it was his opinion that other projects should have higher priority; and he felt that one of the best uses of federal funds would be to provide a data bank for the city.

Mr. Groat agreed with the Director. He remarked that it would not be possible to work with the model if it remains necessary to rely on data from the official census for input since the recording system used for the official census is frequently changed. Under the circumstances, he felt that it was imperative that the city should establish a data system of its own.

REFERRALS

R64.50 Vacation of a portion of Bowdoin Street north of Gaven Street. (Under advisement from meeting of December 7, 1964).

R118.68.3 Tentative subdivision map, Block 5846.

R68.47 Vacation of portions of Gaven Street and exchange of property.

R118.68.4 Resubdivision of portions of Block 5846 and 5861.

Samuel Jung, Planner IV, reported on these referrals as follows:

"The State Division of Highways has sold a surplus parcel of approximately four acres on the south edge of Alemany canyon, at the north end of the Portola district, a quarter of a mile west of the Alemany interchange. The site is bounded on the north by the Southern Freeway and by Alemany Way, a 3-lane one-way eastbound city street with a 40 mile per hour speed limit, which crosses over Southern Freeway just north of the site. The Terrace Drive-in Theatre was formerly located in the bowl-shaped western half of the site. The eastern half of the site has a one-to-one slope where it adjoins the rear years of the existing development to the south and also in places along Alemany Way and the freeway. Gaven Street, an unimproved fee street connecting Alemany Way with Bowdoin Street, goes through the eastern part of the site.

The property is in the R-1 zoning district and because of its size would be eligible as a planned unit development. The owners are not using the planned unit development provisions of the City Planning Code, however,; they are proposing a development of thirty-two 3 and 4-bedroom, two-car garage homes in the $30,000 class.

For the western half of the site, the owners have submitted a tentative subdivision map, and for the eastern half, a tentative parcel map (resubdivision) and request for vacation of portions of Gaven Street in exchange for dedication of other land to permit realignment. Gaven Street is presently mapped as a 50-foot wide street. The realigned street will be 42 feet wide, with a 6-foot sidewalk on the north side and a 2-foot walk on the south side below a wall varying from three to seven feet high, above which there will be no houses. The 34-foot roadway will be sufficient for two moving lanes of traffic and two parking lanes. If Gaven Street is improved according to this plan it will undoubtedly be used for access to the Portola district from Alemany Boulevard and the Southern Freeway and will attract through traffic in addition to serving the new houses.

In the resubdivision on the eastern portion of the site there will be 9 houses fronting on Gaven Street, three on Bowdoin Street, and one on Alemany Way (Lot 14), the latter accessible by automobile only from the eastbound direction on Alemany Way.

A proposal, R64.50, for the vacation of the stub end of Bowdoin Street at the freeway, a fee street approximately 45 by 60 feet, was considered by the City Planning Commission in 1964 and taken under advisement pending the approval of a development plan for the State Division of Highways surplus property. The owner on the east side of Bowdoin Street still wants the vacation, the Fire Department has withdrawn its previous objection, and the State Division of Highways has no need for the street for access to the freeway. The abolition of this corner will prevent the subdivider from having corner lots but will also give him enough additional land to enlarge the lots sufficiently.

The lots of this resubdivision are mostly wide and shallow but meet the requirements of the City Planning Code. Some of the lots along Gaven Street will have rear yards as shallow as 16 feet; because they back on the freeway, Section 132(c) of the City Planning Code permits them to be reduced by 10 feet. On the other side of the street, however, is an uphill lot, Lot 12, approximately 80 by 384 feet where no development is proposed and which may well become tax delinquent in time with no one responsible for its maintenance.

If the tentative subdivision map is approved as submitted, the 19-house development on the western portion of the site will have access only from a cul-de-sac off of one-way inbound Alemany Way. The closest access to Alemany Way itself is one-third of a mile to the west at Trumbull and Cambridge Streets. Although access is roundabout, exit would be possible in two ways eastbound; via Alemany Way or via Gaven Street.

Although permitting Gaven Street to open on to Alemany Way would be a very great convenience to the residents of the western part of the site in giving them another way out in addition to Alemany Way, the proposed connection of Gaven with Alemany is extremely awkward and dangerous, located on a curve just before Alemany Way becomes an overpass. Because of the high speed of traffic and short sight distance at this

point, it would be desirable for Gaven Street not to join Alemany but to be made into a cul-de-sac, however, with a pedestrian way connecting with Alemany Way. The cul-de-sac should be adequately screened so that it will not appear as a through route to traffic on Alemany Way.

Two of the houses in this subdivision will front directly on Alemany Way; the other 17 will be on the cul-de-sac, which will have a 46-foot wide right-of-way with a 30-foot roadway, 4-foot sidewalks and 4-foot planting strips on each side, and a 50-foot turnaround at the end. The lot sizes meet the requirements of the City Planning Code.

Both parts of the development would be served by schools in the Portola district, and by shopping and buses on San Bruno and Silver Avenues. Hillcrest is the nearest elementary school at Yale Street and Silver Avenue, only 1200 feet or less than a quarteroof a mile distant as the crow flies from the point where the cul-de-sac into the bowl enters Alemany Way, but two-thirds of a mile via Alemany and Cambridge or Gaven. Because of the isolation of the area, a pedestrian route should be provided so that the school can be reached on foot by some other route than Alemany Way or Gaven Street. There are two apparent possibilities, either of which would require a stairway for part of the way: either connecting to the present dead end of West View Avenue, or connecting to Sweeny Street near Princeton Street by way of a 10-foot sewer easement between Lots 7 and 8 in the new subdivision and over Lots 13 and 14, Block 5862. The owner of Lots 13 and 14 in Block 5862 own the fee to the sewer easement through their properties and the developer would have to acquire an easement from them. The pedestrian way should be constructed at the expense of the developer and should be completed by the time his houses are placed on the market.

Unfortunately, the various possibilities for providing vehicular access to the new subdivision in addition to Alemany Way are not in fact very practical. There is a slide problem at the dead end of West View Avenue and it drops off abruptly; a ramp connection would be costly and would take

up a great deal of space. Even if two adjacent lots could be acquired on Sweeny Street, the topography is such that a new street connection would be difficult. If Gaven Street could be extended as a two-way service road to the western half of the site, it would require cutting the one-to-one slope and holding it with a 40-foot high retaining wall. The developer is understandably reluctant to consider any of these three means of securing access.

In summary, the western half of the site is really only suitable for a use which people are willing to reach by automobile in a somewhat roundabout fashion."

In conclusion, Mr. Jung stated that original plans for the subdivison had shown that Lot 12, Block 5861, would not be developed; and he indicated that revised plans which had been submitted to the staff earlier in the afternoon had shown that a second lot would also be unused.

Commissioner Newman, referring to the subdivison plans, asked if he were correct in understanding that three of the proposed houses would have driveway access directly from Alemany Boulevard.

Mr. Jung replied in the affirmative and indicated that the Department of Public Works had suggested that additional driveway paving be provided for those houses to protect their owners from having to back into Alemany Boulevard traffic.

Harold C. Dow, architect for the applicant, stated that he had nothing to add to comments which had been made by Mr. Jung.

Mr. Jung presented the staff's recommendation on the subject referrals as follows:

"R64.50 - The vacation of Bowdoin Street north of Gaven Street is in conformity with the Master Plan.

R68.47 - The vacation of portions of Gaven Street and exchange of property to permit the realignment of Gaven Street is in conformity with the Master Plan only if Gaven Street is not cut through to Alemany Way but is made into a cul-de-sac with an adequate turnaround and with screening to prevent Alemany Way traffic from attempting to reach it, and with a pedestrian connection at least 10 feet wide to Alemany Way.

R118.68.4 - In the resubdivision of portions of Blocks 5846 and 5861, Gaven Street should become a cul-de-sac with only a pedestrian connection to Alemany Way. Lot 14, Block 5861, with access on Alemany Way should be eliminated. So that Lot 12, Block 5861, will not be abandoned to become tax delinquent and a nuisance, its area should be distributed to the adjacent lots in the resubdivision.

R118.68.3 - The tentative subdivision map of Block 5846 should not be approved unless additional pedestrian access is provided either to the dead end of West View Avenue or to Sweeny Street; the latter could be accomplished through use of the existing 10-foot wide sewer easement through Lots 13 and 14, Block 5862. The pedestrian way should be installed at the expense of the developer prior to the time that houses in the subdivision are placed on sale. Lots 1 and 19 with access directly on Alemany Way should be eliminated.

Undergrounding of utilities should be provided in both the resubdivision and the subdivision."

In conclusion, Mr. Jung stated that the recommendation regarding Lot 12, Block 5861, should also apply to the second unused lot which was shown on the revised plans which had been submitted by the applicant.

Mr. Dow stated that plans for the project had been revised to meet most of the recommendations of the staff of the Department of City Planning. However, the question of the vacant lots and of the proposed stairwell had not yet been resolved. Mr. Dow noted that the lot pattern for the eastern portion of the subdivision had been changed so that Lot 12 would be somewhat smaller than originally proposed; however, because of the re-arrangement of lots, Lot 12 would have to be added to a single standard size lot if the recommendation of the staff were to be followed. He did not feel that it would be fair to place such a burden on the purchaser of the abutting lot; and, therefore, his clients were proposing to retain the vacant parcel in the hope that someone else might wish to develop it in the future. Mr. Dow believed that it would be feasible to develop the vacant parcel with a minimal disturbance of the hillside; however, neither he or his clients wished become involved in such a project. He advised the Commission that the same circumstances would apply to the second parcel of property which his clients proposed to leave vacant for the present time.

With regard to the stairway which was being recommended by the staff, Mr. Dow pointed out that use of the sewer easement through Lots 13 and 14 of Block 5862 for construction of the stairway would disturb the present private use of the easement for landscaped rear yard area; and it would necessitate construction

of a pedestrian passageway between two houses which are located only 10 feet apart. If, on the other hand, a stairway were to be provided to the dead end of West View Avenue, the design of the stairway would be quite complicated because of the steep and uneven slope of the hill. He displayed a sketch of the type of stairway which would have to be constructed in that area; and he remarked that construction of such a stairway would cost approximately $10,000. He felt that construction of the stairway would be impractical; and he doubted that it would be greatly used. Furthermore, if the stairway were to be constructed, the developers could not afford to be responsible for its maintenance; and those costs would have to be assumed by the city.

Commissioner Newman remarked that children going to school would have to walk along Alemany Boulevard if the stairway were not constructed; and he felt that this would be a dangerous and undesirable situation.

Mr. Dow replied that the sidewalk on the south side of Alemany Boulevard is 9 feet wide; and he noted that children in other neighborhoods such as his own walk further to school along busy streets which have even narrower sidewalks. He indicated that he did not necessarily approve of such a situation; and he did not feel that a development of the type which was being proposed is really very good. On the other hand, the subject site, like many other areas in San Francisco, poses serious development problems; and he felt that he and his clients were doing every thing possible to minimize those problems and to create a practical development which would provide three and four bedroom houses at a moderate price.

Mr. Jung remarked that plans for the subdivision indicated that sidewalks in front of the vacant properties would be only two feet wide. Mr. Dow acknowledged this fact and indicated that his clients would be willing to widen the sidewalks whenever the vacant parcels are developed. After further discussion of this point, Mr. Dow agreed to modify his plans to provide for a wider right-of-way for the sidewalks so that the city would not have to take action in the future to acquire the additional right-of-way if the sidewalk paving were to be widened.

After further discussion, Mr. Jung recommended that all of the subject referrals be taken under advisement for one week to enable the staff of the Department of City Planning to meet with the staff of the Department of Public Works to discuss some of the modifications which had been made in the plans for the subdivision. Mr. Dow indicated that he would be willing to approve that delay.

The Director stated that the staff of the Department of City Planning would also give further consideration to the vacant lots and to the proposed stairway during the next week. If no practical solution would be found in either case, he would be prepared to recommend that the applicants not be bound to merge that vacant lots iwth adjacent parcels or to construct the stairwell.

President Brinton asked if the vacant lots could be landscaped. Mr. Dow replied that both of the lots have some ground cover at the present time; and he felt that it would be unwise to disturb the present status of the hillside in any

way. In any case, the lots adjacent to the vacant parcels would not be the first to be developed; and, therefore, the hillside would remain as is for quite some time.

After further discussion, it was moved by Commissioner Newman, seconded by Commissioner Kearney, and carried unanimously that all four of the subject referrals be taken under advisement until the meeting of September 26, 1968.

The meeting was adjourned at 3:45 P.M.

Respectfully submitted,

Lynn E. Pio
Secretary

SAN FRANCISCO

CITY PLANNING COMMISSION

Minutes of the regular meeting held Thursday, September 26, 1968.

The City Planning Commission met pursuant to notice on Thursday, September 26, 1968 at 1:00 P.M. at 100 Larkin Street.

PRESENT: William M. Brinton, President; Mrs. Charles B. Porter, Vice President; Virgil L. Elliott, James S. Kearney, and Walter W. Wight, members of the City Planning Commission.

ABSENT: Commissioners Mortimer Fleishhacker, Jr. and Walter S. Newman.

The staff of the Department of City Planning was represented by Allan B. Jacobs, Director of Planning; R. Spencer Steele, Assistant Director-Implementation; Robert Passmore, Assistant Zoning Administrator; Phoebe H. Brown, Planner IV; Samuel Jung, Planner IV, Ralph Mead, Planner IV (Zoning), and Lynn E. Pio, Secretary.

Donald Canter represented the San Francisco Examiner; Maitland Zane represented the San Francisco Chronicle.

1:00 P.M. - Field Trip

Members of the Commission and staff departed from 100 Larkin Street at 1:00 P.M. to take a field trip to properties in the Jackson Square area which have been proposed as landmarks and which will be the subject of public hearings to be held by the Commission on October 3.

APPROVAL OF MINUTES

It was moved by Commissioner Kearney, seconded by Commissioner Porter, and carried unanimously that the minutes of the meeting of August 29, 1968, be approved as submitted.

CURRENT MATTERS

The Director reported that the Finance Committee of the Board of Supervisors, meeting on Wednesday, had endorsed the concept of providing rapid transit service to the airport and had recognized that monorail would be one of the possible means of providing such service.

The Director informed the Commission that the full Board, at its meeting on Monday, had approved the amendments of the City Planning Code for Jackson Square and adjacent areas as recommended by the Planning and Development